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LII

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

1755-1756

(24)

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J. HALL PLEASANTS

Editor



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- I. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY,
1637/8-1664 (1) 1883
- II. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY,
1666-1676 (2) 1884
- III. PROCEEDINGS OF THE COUNCIL, 1636-1667 (1)..... 1885
- IV. PROCEEDINGS OF THE PROVINCIAL COURT, 1637-1650
(COURT SERIES 1)..... 1887
- V. PROCEEDINGS OF THE COUNCIL, 1667-1687/8 (2)..... 1887
- VI. CORRESPONDENCE OF GOVERNOR HORATIO SHARPE, 1753-
1757 (1) 1888
- VII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY,
1678-1683 (3) 1889
- VIII. PROCEEDINGS OF THE COUNCIL, 1687/8-1693 (3)..... 1890
- IX. CORRESPONDENCE OF GOVERNOR HORATIO SHARPE, 1757-
1761 (2) 1890
- X. PROCEEDINGS OF THE PROVINCIAL COURT, 1650-1657
(COURT SERIES 2)..... 1891
- XI. JOURNAL OF THE MARYLAND CONVENTION, JULY 26-AUG.
14, 1775; JOURNAL AND CORRESPONDENCE OF THE
COUNCIL OF SAFETY, AUG. 29, 1775-JULY 6,
1776 (1) 1892
- XII. JOURNAL AND CORRESPONDENCE OF THE COUNCIL OF
SAFETY, JULY 7-DEC. 31, 1776 (2)..... 1893
- XIII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY,
1684-1692 (4) 1894
- XIV. CORRESPONDENCE OF GOVERNOR HORATIO SHARPE, 1761-
1771 (3) 1895
- XV. PROCEEDINGS OF THE COUNCIL, 1671-1681 (4)..... 1896
- XVI. JOURNAL AND CORRESPONDENCE OF THE COUNCIL OF
SAFETY, JAN. 1-MARCH 20, 1777; JOURNAL AND COR-
RESPONDENCE OF THE STATE COUNCIL, MARCH 20,
1777-MARCH 28, 1778 (3)..... 1897

XVII. PROCEEDINGS OF THE COUNCIL, 1681-1685/6 (5).....	1898
XVIII. MUSTER ROLLS AND OTHER RECORDS OF SERVICE OF MARY- LAND TROOPS IN THE AMERICAN REVOLUTION.....	1899
XIX. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1693-1697 (5)	1899
XX. PROCEEDINGS OF THE COUNCIL, 1693-1697 (6).....	1900
XXI. JOURNAL AND CORRESPONDENCE OF THE STATE COUNCIL, APRIL 1, 1778-OCTOBER 26, 1779 (4).....	1901
XXII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1697/8-1699 (6)	1902
XXIII. PROCEEDINGS OF THE COUNCIL, 1696/7-1698 (7).....	1903
XXIV. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1700-MAY, 1704 (7).....	1904
XXV. PROCEEDINGS OF THE COUNCIL, 1698-1731 (8).....	1905
XXVI. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, SEP- TEMBER, 1704-1706 (8).....	1906
XXVII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1707- 1710 (9)	1907
XXVIII. PROCEEDINGS OF THE COUNCIL, 1732-1753 (9).....	1908
XXIX. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1711- 1714 (10)	1909
XXX. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1715- 1716 (11)	1910
XXXI. PROCEEDINGS OF THE COUNCIL, 1753-1761 (10); CORRE- SPONDENCE OF GOVERNOR SHARPE, 1754-1765 (4)..	1911
XXXII. PROCEEDINGS OF THE COUNCIL, 1761-1770 (11); MINUTES OF THE BOARD OF REVENUE, 1768-1775; OPINIONS ON THE REGULATION OF FEES, INSTRUCTIONS TO GOV- ERNOR EDEN, MARCH 2, 1773.....	1912
XXXIII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1717- APRIL, 1720 (12).....	1913
XXXIV. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, Oc- TOBER, 1720-1723 (13).....	1914
XXXV. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1724- 1726 (14)	1915
XXXVI. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1727- 1729 (15) WITH APPENDIX OF STATUTES, 1714-1726.	1916
XXXVII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1730- 1732 (16)	1917

XXXVIII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1694-1729 (17) ACTS HITHERTO UNPRINTED.....	1918
XXXIX. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1733-1736 (18)	1919
XL. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1737-1740 (19)	1921
XLI. PROCEEDINGS OF THE PROVINCIAL COURT, 1658-1662 (COURT SERIES 3).....	1922
XLII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1740-1744 (20)	1923
XLIII. JOURNAL AND CORRESPONDENCE OF THE STATE COUNCIL, OCTOBER 27, 1779-NOVEMBER 11, 1780 (5).....	1924
XLIV. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1744-1747 (21)	1925
XLV. JOURNAL AND CORRESPONDENCE OF THE STATE COUNCIL, JULY 1, 1780-NOVEMBER 13, 1781 (6).....	1927
XLVI. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1748-1751 (22)	1929
XLVII. JOURNAL AND CORRESPONDENCE OF THE STATE COUNCIL (LETTERS TO THE GOVERNOR AND COUNCIL), 1781 (7) .	1930
XLVIII. JOURNAL AND CORRESPONDENCE OF THE STATE COUNCIL OF MARYLAND, 1781-1784 (8).....	1931
XLIX. PROCEEDINGS OF THE PROVINCIAL COURT, 1663-1666 (COURT SERIES 4).....	1932
L. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1752-1754 (23)	1933
LI. PROCEEDINGS OF THE COURT OF CHANCERY OF MARYLAND, 1669-1679 (COURT SERIES 5).....	1934
LII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1755-1756 (24)	1935

LETTER OF TRANSMITTAL.

BALTIMORE, *January 15, 1935.*

To the Maryland Historical Society.

GENTLEMEN :

Your Committee on Publications has the honor to present this volume of the *Archives of Maryland* containing the Proceedings and Acts of the General Assembly of Maryland for 1755 and 1756. This is Volume LII of the general series, and the twenty-fourth volume of the sub-series relating to Assembly affairs. It will be noted that the proceedings of the two houses of the Assembly have become so much more voluminous, that the period covered by this volume, although embracing only two years of Assembly activities, fills a book of about the same size as the three-year period embraced in the last volume of the Assembly proceedings (Volume L).

The period covered by this volume, the years 1755 and 1756, was marked in Maryland by increased military activity on the western frontier against the French and the disastrous defeat of Braddock at the Monongahela, as well as by increased tension and bickering between the Governor, represented by the Upper House, and the Lower House as representing the mass of the people. The seeds of dissension between the absentee landlord and his tenants had already been sown, and had taken root in the soil fertilized by mutual distrust and by dissensions on the subject of taxation; the seedling was being prepared for a vigorous, independent growth when a few years later it was to be further nourished by an added resentment against the King and his schemes of taxation. The Roman Catholic question was also agitating the souls, or rather the fears and prejudices, of the people. The abortive Scotch uprising in favor of the Young Pretender, although it had resulted in Charles Edward's defeat at Culloden in 1746, still filled men's minds with fear, and various additional repressive measures against Catholics in England ensued. The aggressions of the French, a Catholic nation, on the western frontier, and the outrages practiced by their Indian allies, caused the religious question to blaze up in Maryland with even greater intensity than in England.

Although only about one-tenth of the white inhabitants of the Province were Catholics, and the family of the lords Proprietary had been members of the Church of England for over forty years, at nearly every session of the Assembly additional repressive and cruel anti-Catholic legislation was passed by the Lower House, to be nullified or toned down by the action of that level-headed Gov-

ernor, Horatio Sharpe, and his Council, sitting as the Upper House of the Assembly. The laws against Catholics which were in force before this period and which remained with slight changes until the Revolution, were to have far-reaching effect, for as men's minds later became directed to more pressing matters, and interest in religious dissension receded into the background, the Catholics, who remained disqualified from holding any public office, were found almost to a man on the Revolutionary side. Charles Carroll of Carrollton is said to have declared that his political disabilities were an important factor in determining his attitude in the struggle.

To have an intelligent conception of the struggles between the Lower House and the government of the Lord Proprietary as represented by his Governor and Council sitting as the Upper House, the student must ever remember that at this time three subjects filled the minds of all: the fear of French and Indian invasion, the means by which taxes should be raised to prosecute the war, and the Roman Catholic question.

The prosecution of the war was the subject of endless discussion and dispute in the Assembly. The colonies felt that the threat to British authority in North America by the French was one which should be met in great part by the armies of Great Britain, with such voluntary help as each colony was disposed to give when its own territory was threatened. There was no widespread conception of a community of interest between the colonies as a whole. The idea of a confederacy or union such as had been formulated in 1754, the year before our period begins, at the Albany Conference under the crafty hand of Benjamin Franklin, was specifically repudiated in Maryland by a resolution of the Lower House passed at the February-March session. In an address to the Governor under date of March 10, 1755, the Lower House declared that "we cannot, consistent with our Duty to our Constituents, forbear to observe in general, that the carrying the said Plan into Execution would absolutely subvert that happy Form of Government which we have a Right to by our Charter, (the Freedom of which was doubtless one great Inducement to our Ancestors to leave their Friends and native Country, and venture their Lives and Fortunes among a Fierce and Savage People, in a rough, uncultivated World), and destroy the Rights, Liberties, and Properties of his Majesty's loyal Subjects of this Province" (pages 71-2).

The Lower House was perfectly willing to allow enlistment of Marylanders in the royal regiments for the general defence in the service of the King, if the King were willing to pay and maintain them, but it was unwilling to recruit and support a militia force except for defensive purposes, and this only on the basis of short enlistments.

On the question of taxation to support the military establishment and the cost of government, the breach between the Lower House and Upper House, already wide, rapidly increased during this two-year period, and the disputes became more and more acrimonious. Governor Sharpe, who was personally popular, was in a most difficult position. Appointed by the Lord Proprietary, with the approval of the Crown, he was not only obliged to follow the orders of the Proprietary in matters of taxation, but to make every effort to induce the Assembly to carry out the demands of the Crown for military assistance. The long-standing dispute, extending back into the preceding century, between the Proprietary and the people as to the respective rights of each in the tobacco export tax, in the licences from ordinaries, and in various fines and forfeitures, flared up with renewed intensity at these sessions.

One of the principal sources of the Provincial revenue was derived from the export duty of two shillings a hogshead on tobacco, originally imposed in part for the payment of quit-rents, and in part for the support of the government; of this latter moiety of twelpence, Queen Anne, some years before, had ordered that threepence be set aside and expended for purposes of defence and the purchase of arms and ammunition. When Benedict Leonard Calvert renounced Roman Catholicism and the Province was restored to his son Charles in 1715, all the tobacco tax, including the threepence, was appropriated to himself by the Proprietary, ostensibly for "the support of government." The people declared, however, that this threepence was not used for governmental expenses, but found its way, with the rest of the export tax, into the Proprietary's own pocket; and the Lower House continued to protest with vehemence against the failure of the Proprietary to dedicate this threepence tax specifically for the public defence, declaring that the action of Queen Anne had the effect of law and was binding upon him. Frequent reference to this subject is to be found in the debates of former sessions, and during this period.

The disposition of the licence fees from ordinaries was also the subject of bitter debate. These had long been claimed by the Proprietary as his prerogative and the claim had been vigorously opposed by the people. Earlier in the century these licences had been turned over by the Proprietary as a perquisite to his Provincial secretary, but in the years immediately preceding our period, at the time of the third Colonial War, Charles, fifth Lord Baltimore, had allowed them to be used to defray the cost of military operations. Frederick, sixth Lord Baltimore and the present Proprietary, now demanded them for his own use, and the people were up in arms. The Lower House at the February-March 1755 session, declared by a resolution unanimously adopted, that the licence fees from ordinaries had always belonged to the country, as the House expressed it; that the Proprietary had never had the right to any tax or any licence fees

without the consent of the Assembly; and that although in 1717 the Assembly had passed, after "many tedious and disagreeable debates," an act which the Governor had accepted, granting to the Proprietary the licence fees from ordinaries "as a gift of the people," this gift was at any time revocable. The Upper House contended that the Assembly had recognized the right of the Proprietary to these fees as late as 1674, and that even if he had acquiesced in the Act of 1717, inasmuch as he was entitled to the licences as his prerogative, he could at any time withdraw his assent. It further declared that in permitting the passage of an act, the Supply Bill for His Majesty's service, the year before (1754), allowing the use of these licence fees for public purposes in an emergency, he was not thereby prevented from withdrawing this assent when he chose. The two houses became deadlocked and the Supply Bill appropriating £10,000 for military purposes in which the Lower House had included the licence fees as one of the sources of revenue, failed of passage. Again at the following session, held in June 1755, the two houses, still deadlocked on this question of the ordinary licences, the Supply Bill once more failed of passage. But when the Assembly met in February 1756, the Upper House, chastened by Braddock's defeat, finally agreed to the inclusion of these licences and the Supply Bill was then passed. The story of this long-standing dispute in regard to the disposition of ordinary licence fees, and its final settlement in favor of the public in 1768, is clearly told by Newton D. Mereness in his *Maryland as a Proprietary Province* (pages 353-60).

The right to numerous fines and forfeitures collected by the Provincial government was also the subject of constant dissension between the Proprietary and the people, the former claiming them as his prerogative, and the Lower House declaring that their disposition was entirely in the hands of the Assembly. In several instances it will be found that legislation favored by both houses failed of passage because the Upper House insisted that part of the fines should go to the Proprietary, and the Lower House that they be used for some designated governmental expenditure.

During our two-year period the members of the Governor's Council, who also composed the Upper House, were Benjamin Tasker, Charles Hammond, Samuel Chamberlaine, Philip Thomas, Benjamin Tasker, Jr., Benedict Calvert, William Goldsborough, Richard Lee, George Plater, Edward Lloyd, and at the fifth session, Robert Jenckins Henry. The members of the Upper House, as appointees of the Governor, not being elected as were the delegates to the Lower House, directly represented the Proprietary interest. The political divisions of the Lower House formed what were known as the Proprietary and County parties, the latter being greatly in the majority. It may be said in general that at least two-thirds of the sixty members of the Lower House were of the

County party, and that the remaining third were sympathetic in varying degrees with the Proprietary government, but when popular passions were aroused there were considerable defections from this minority to the County party. The Assembly with which we are concerned had been elected in the autumn of 1754 and had held its first session in December of that year. The sessions which this volume records are the second and third held in 1755 and the fourth and fifth held in 1756.

The committees which had been appointed at the first session and the rules then adopted were continued with few changes during our period. The fourteen counties were represented by four members each and the city of Annapolis by two members. As was to be expected, the representatives of Annapolis were always of the Proprietary party. Henry Hooper of Dorchester County was Speaker of the first four sessions, but on account of ill-health was succeeded at the September-October session of 1756 by Alexander Williamson of Kent County. Conspicuous members of the Lower House during this period were Walter Dulany and Stephen Bordley, both of Annapolis, the place of the latter being filled at one of the later sessions by Daniel Dulany, the younger, perhaps its most distinguished member. These three were all of the Proprietary party. Dr. Charles Carroll of Annapolis was one of the representatives from Anne Arundel County, and after his death in 1755 his son, Charles Carroll, the Barrister, later to be the author of the Declaration of Rights, succeeded him. Both father and son were among the leaders of the County party. William Fitzhugh of Calvert, Philip Hammond and Henry Hall of Anne Arundel, Matthew Tilghman and Edward Tilghman of Queen Anne's, Lloyd Buchanan of Baltimore, William Murdoch of Prince George's, and John Dennis and Robert Jenckins Henry of Somerset, were conspicuous in the Lower House. In 1756 Daniel of St. Thomas Jenifer, who was later to sign the Constitution of the United States for Maryland, first appeared upon the political scene. Voting almost invariably with the Proprietary party in addition to the Dulanys and Bordley were Lloyd Buchanan of Baltimore County, Charles Goldsborough of Dorchester County, Henry Casson and John Bracco of Queen Anne's County, and Robert Jenckins Henry of Somerset County. The Tilghmans, Murdock, and Fitzhugh were conspicuous leaders of the County party. Thomas Johnson, Jr., who was later to be the first Revolutionary governor of Maryland, made his public appearance at this time as Clerk of the Committee on Ways and Means of the Lower House, although not yet as a delegate to that body.

The second session of the Assembly elected in 1754 met on February 22, 1755, soon after Governor Sharpe had returned from New York, where he and other colonial governors had attended a council of war held by Shirley. The previous session had been prorogued in disgust by Governor Sharpe on Decem-

ber 24, 1754, until January 15, 1755, because the Lower House had failed to pass the Supply Bill for His Majesty's service as amended by the Upper House, but its meeting had been postponed by the Governor until February 22d. Sharpe opened the session with a speech calling the attention of the Assembly to the fresh encroachments of the French and Indians on the western frontier, and the necessity of immediately providing funds for defence. He submitted a letter dated at Whitehall, October 26, 1754, from Sir Thomas Robinson, one of the King's principal secretaries of state, calling for the immediate cooperation of Maryland and the neighboring colonies in military preparations. The Governor urged the prompt appropriation of sufficient funds for defence, the passage of laws to regulate the hire of horses and wagons required for military service, and the fixing of rates charged by ordinaries for quartering soldiers on the march. Robinson in his letter declared that the King had ordered two regiments of five hundred men each, commanded by Sir Peter Halkett and Col. Thomas Dunbar to proceed to Virginia and there to be recruited to seven hundred men each. Governor Shirley of Massachusetts and Sir William Pepperell were ordered to raise two more regiments of one thousand men each, of which they were to be the colonels, and to issue commissions to such officers as they might select. These troops were to be armed and clothed by the Crown, but the colonies were to provide fresh victuals and other necessities for all the troops, and facilities for officers to travel. The local governments were ordered to provide for quartering the troops and for impressing conveyances. Halkett and Pepperell were to be in command until a general commanding officer should arrive from England. With the arrival of Braddock in February 1755, Sharpe was supplanted by him as commander-in-chief of the British forces in America.

The Lower House immediately proceeded to consider the ways and means to raise £10,000 for military purposes under the title of "An Act for raising a Supply towards his Majesty's Service," commonly known as the Supply Bill. A proposal to raise this amount by a poll-tax of one shilling sixpence was defeated by a vote of 36 to 10, the leading members of the Proprietary party and a few of the County party voting for it. The Committee of Laws, March 1st, then introduced a bill, which was promptly passed, to raise £10,000 by various taxes and licences. The Upper House rejected the bill, citing four reasons for its action, but it was generally recognized that one item, the fees from licences from ordinaries, was the real reason for its rejection, the Proprietary having again asserted his right to the money derived from this source. The four objections to the bill cited by the Upper House were: (1) that the proposed issue of additional bills of credit to the amount of £4015-6-0 would inflate the paper money to a dangerous extent and depreciate the currency now in circulation; (2) that the further appropriation of licences from ordinaries struck at a

prerogative of the Proprietary; (3) that the imposition of an additional duty on English indentured servants would impede the settlement of the Province; (4) that an additional restrictive duty on convicts would bring the Province into conflict with the English government. The Lower House replied that these objections to the bill were unwarranted. It declared that the addition to the paper currency issue was too small to have any effect, that the sinking fund requirements of certain existing issues would in a short time more than neutralize this issue, and that the additional duties on imported servants and convicts were too small to have the consequences alleged.

Of the other provisions of the bill we are ignorant, as it is not printed in the *Votes and Proceedings* of the March session, but it was probably similar to the bill passed by the Lower House at its next session in July, which was also destined to be rejected by the Upper House. In the July bill, in addition to the items objected to by the Upper House in the March bill, we find wheel carriages taxed and import duties imposed on spirits, wines, sugar, and molasses, additions which the Upper House does not appear to have questioned.

The crux of the controversy was the question of licence fees from ordinaries; these, under the bill, were to be applied to the sinking fund to secure the bills of credit or currency to be issued to defray the military expenditures. There can be no question that the other objections to the bill would have been easily settled, as they seemed to have been forgotten in the acrimonious dispute about the ordinary licences which now developed between the two houses, as disclosed by the numerous messages on the subject which passed between them, and to which reference has already been made.

It is difficult to apportion the blame of the failure of the Assembly, at this and the next session, to agree upon a plan to raise funds for military operations on the frontier. The Lower House was stubborn in its determination to continue to use the licence fees from ordinaries for this purpose, and as a matter of principle refused to eliminate this item from its bill. The Upper House, acting under orders from the Proprietary to the Governor, refused to accept it. The responsibility for its rejection while apparently upon the shoulders of the Governor and Council, should really be placed upon Frederick, the Lord Proprietary and non-resident landlord, whose only interest in Maryland was as a source of revenue for his private purse. That both the disputants should be so blind to the danger that threatened the Province at this crisis seems extraordinary, for in less than four months General Braddock was to march through the Province against the French and to meet a humiliating defeat, exposing the people of Maryland to grave peril. That the eyes of the Lower House were closed to the great danger, is shown by its declaration that Maryland was less concerned with

the proposed expedition to the western frontier than was almost any other colony.

At this session no legislation of importance was enacted. Two acts of a military character were passed. One, which had been asked for by Shirley, fixed the rates of hire for conveyances for transporting military stores and the rates to be charged by inns or ordinaries for quartering officers and privates; and the other sought to prevent the exportation of warlike stores and provisions which might reach the French or the hostile Indians. An act was also passed to expedite the collection by the Currency Office of interest due to the Province on bonds secured by mortgages on lands. Of the other four laws passed two were private acts to correct errors in deeds to land; the other two were of little or no interest. It was at this session that the Lower House by a unanimous vote registered its disapproval of the plan of a colonial union proposed at the Albany Conference, which has already been noted.

The Governor in a message to both houses March 4, 1755, called their attention to the dissent of the Lord Proprietary to two acts passed at the October 1753 session. These were: (1) an act relating to the examination of witnesses beyond seas and for the easy foreclosure of mortgages, and (2) an act relating to the title of lands held by Richard Bennett of Queen Anne's County. The Governor also stated that the Proprietary would have dissented to a third act, familiarly known as the Tobacco Inspection Act, for regulating the marketing of tobacco, for preventing frauds in His Majesty's customs, and for the limitation of officers' fees, had he not been persuaded that the Assembly would promptly repeal the obnoxious clauses regulating certain officers' fees and the rates at which foreign and English coins might circulate in the Province. The Governor also informed the Lower House that the Proprietary had presented to the Lords of Trade and Plantations the petition of the Lower House asking them to permit the importation of salt from any port of Europe to be used for curing fish. As these dissents and the petition in regard to the importation of salt have been fully discussed in Volume L of the *Archives*, little need be said about them here. It should be noted, however, that the Lower House did not take seriously the Proprietary's threat that he would dissent to the Tobacco Inspection Act, were not the obnoxious clauses repealed, as it was felt that he would not dare, by such a step, to throw into chaos all commercial activities of the Province, and thus imperil his own income. A resolution to repeal was therefore rejected by a vote of 35 to 5, the Lower House declaring that it saw nothing objectionable in the act which would warrant such action.

The Lower House summoned John Rawlings, one of the justices of the Frederick County Court, before the bar of the House, charged by a member of the Assembly from Frederick with certain high-handed acts in the adminis-

tration of his office, and formally reprimanded him. The Governor in his message to the Lower House on the subject declared that he had gone into the matter carefully and felt that the justice was not as culpable as the Lower House supposed, and that he had been guilty of no misdemeanor whatever. He then very pointedly remarked that it was his duty to protect the people from extra-legal exercise of the law, and to prevent them from being prosecuted out of the ordinary course of procedure, and added "I cannot help recommending to you, Gentlemen, as you sit here at a very considerable Expense to the Country, to forbear to meddle, for the future, with such Complaints, as are (if not groundless) relievable elsewhere, and are the proper Objects for the Enquiry of another Jurisdiction," a not too-gentle reminder to the House to mind its own business. The Rawlings' inquiry before the Lower House seems to have been instigated by the personal animosity of Henry Wright Crabb, a member from Frederick County, and was apparently unjustified (*Archiv. Md.*, vi., 191).

A joint committee of both houses on February 26th presented an audit of the accounts of the office of the Commissioners for Emitting Bills of Credit, as it was called by the Lower House, or the Paper Currency Office, as it was designated by the Upper House. It is difficult to understand why the two houses consistently used different terms to designate the office of the commissioners which issued the bills of credit or paper currency.

The Roman Catholic question cropped up promptly in the form of a bill "for preventing the Importation of German and French Papists" which was immediately passed by the Lower House. The preamble stated that many German and French Papists, Popish priests, and Jesuits, had lately entered the Province from Pennsylvania and Delaware, and had promptly taken up lands on the western frontier near the French fort, where they would probably communicate secret intelligence to the enemy, and where on account of their "insatiable Desire of universal Conversion to their own religious Opinions" they were a danger to "the good Protestant People" of this Province. The bill imposed a tax of £5 on every German or Irish Catholic and of £200 on every priest or Jesuit entering the Province, with fines as high as £20 and £400, respectively, if such persons were smuggled into the Province. One-half of these taxes and fines were to be used to defray the expenses of the military expedition and one-half were to go to the informers. The Upper House amended the bill by cutting down the amount of the tax and the fines, and by apportioning one-third of these to be used for military purposes, one-third to go to the informers, and one-third to the Lord Proprietary. The Lower House rejected the amended bill because under it a third had been given to the Proprietary, and ordered it to be printed in full in its Journal of *Votes and Proceedings*.

No legislation of the least importance in actively prosecuting the war was enacted, and Sharpe in disgust on March 26th, prorogued the Assembly until July 1st following, although it was destined to be called together a week earlier.

When the Assembly met on June 23, 1755, in its third session, General Braddock, as commander-in-chief, had very recently arrived in Virginia and had just begun his march to the frontier. The Lower House was composed of the same determined group as was the last, although at this session the Proprietary party lost a valuable member in Lloyd Buchanan of Baltimore County, who was expelled from the House because he had accepted the position of Public Prosecutor of Baltimore County. Sharpe in his opening address referred to a letter recently received from Braddock saying that as soon as he had reduced the fort (Duquesne), which the French had presumed to erect lately on the Ohio, he proposed to garrison it with the Provincial troops of Maryland and Virginia and to have it victualed by the Maryland, Virginia, and Pennsylvania governments.

To show its gratitude to the King for sending such a body of regular troops as that under Braddock, the Governor urged the Lower House to make an immediate grant of supplies for His Majesty's service and "to avoid the Rock on which the Difficulty of raising large Sums may make you Split." The Lower House expressed its wish to make an immediate allowance and inquired what quota of the expenses had been assigned to Maryland at Sharpe's conference with Braddock "at the late Congress," held in Alexandria. The Governor replied that no definite quota had been agreed upon there, but that Virginia had voted £6,000 and that he hoped Maryland would contribute £4,000. The Lower House then resolved that Maryland should raise £5,000 for this purpose, and at the same time decided to steer straight for the rock that Sharpe had urged it to avoid, by voting 36 to 4 that "one of the ways and means" to raise this should be from the fees derived from licences on ordinaries, and directed the Committee on Laws to inquire as to additional sources by which the money might be obtained. This Committee reported on June 26th, advising that it be raised by licences on ordinaries and on pedlars, by taxes on wheel carriages and billiard tables, and by import duties on servants, negroes and wines, and was directed by the Lower House to prepare such a bill. On June 28th the bill was reported to the Lower House, passed, and sent to the Upper House, where it was promptly rejected, not only on account of the inclusion of the disputed licences on ordinaries, but because it was felt that the receipts to be expected from the other sources would be insufficient. The Lower House then amended the bill by adding additional duties on sugar and molasses, but refused to eliminate the licences from ordinaries. On July 5th the Upper House finally rejected the bill. The Lower House then passed an order directing that the

rejected Supply Bill for His Majesty's service be printed in the Journal of *Votes and Proceedings*.

Another bill of considerable military importance was introduced into the Lower House while the Supply Bill was under consideration and being shuttlecocked between the two houses. This was the bill for securing the western frontier and for maintaining couriers from Will's Creek (Cumberland) to Annapolis, which was passed July 2d by the Lower House. This bill provided for raising £2,000, to recruit, arm and maintain for four months a body of eighty rangers and officers to defend the frontier; for maintaining a courier service with the post at Will's Creek; and for a bounty of £5 on the scalps of enemy Indians, the money for the purpose to be raised by additional duties on rum, wines and convicts. The bill was sent to the Upper House, which promptly returned it with a message that it felt it was framed in a manner which made it difficult or impossible to enforce, but the difficulties were not designated. The Lower House on July 5th sent the bill back with a message that it saw nothing in it which made enforcement difficult, and added "we should have taken it kind in your Honours to have pointed out to us any Defects or Repugnancies in that bill." The Upper House replied that to return a bill after a negative was irregular, and that it would have been glad to explain its objections had it been asked to do so in the usual manner of procedure between the two houses. The Lower House took no formal notice of this rebuke, nor of Sharpe's urgent request to amend the bill, and by a vote of 29 to 12 refused to do so, directing that the bill with the messages between the houses in regard to it should be printed in the Journal of the *Votes and Proceedings* and also in the *Maryland Gazette*. While nowhere in the proceedings of either house are the objections to the bill specifically stated, these were probably due to the proposed additional tax on convicts which had been objected to in the Supply Bill that had been rejected by the Upper House at the last session. A better indication of popular feeling may often be had from bills such as this, which were passed by the Lower House and rejected by the upper chamber, than from laws which were approved by both houses.

Feeling ran so high in the matter of the disputed fees from ordinary licences that the Committee on Grievances and Courts of Justice of the Lower House reported on July 7th that it had examined the commission dated February 2, 1753, constituting Cecilius Calvert, Secretary of the Province Residing in England, in which the Proprietary authorized Cecilius to take to himself "the Advantage of granting Ordinary-Licences" and the money derived from them, and that the Committee felt that this created a monopoly, and was contrary to the rights and privileges of the good people of this Province and contrary to the

common and statute law. The house concurred with this report and registered its protest.

In addition to the two bills just summarized, the Lower House July 8th, passed a bill to prohibit the export of provisions, ammunition, and warlike stores which might reach the French. The desirability of such a law was obvious and was urged by Sharpe on the ground that similar legislation had been enacted recently by several other colonies. This bill which was drawn up in the Lower House, contained the provision that one-half the fines and forfeitures under it were to go to the informer, and the other half to the government to defray the expenses of couriers to Fort Cumberland; or if there was a surplus, it was to be applied by the Assembly, under the Supply Bill for His Majesty's service, to defray the expenses of the expedition to the western frontier. The bill was amended by the Upper House so that the fines should be divided into three parts: one-third to the informer, one-third to the government, and one-third to the Lord Proprietary. The Lower House refused to accept the amendment giving one-third the fines to the Lord Proprietary and ordered the bill printed in the *Journal of its Votes and Proceedings*. A similar principle was involved here as in the case of the fees received from ordinary licences, the Proprietary claiming as his own fines and forfeitures from all sources, the Lower House asserting that these belonged to the public. This bill had been introduced to replace an act for the same purpose which had been passed earlier in the same session, under which it was provided that the fines should be divided, one-half to the informer and the other half to be expended by the Assembly as it saw fit for His Majesty's service. The bill passed earlier in the session was allowed to stand.

The inevitable Roman Catholic question came up again at this session. A resolution was introduced in the Lower House, and passed unanimously on July 2d, that the well-known English Statute of I William and Mary, Chap. XVIII, against the Catholics be extended to this Province, and it was further resolved that the Governor be asked to issue a proclamation commanding all magistrates and officers to enforce the statute. This statute, among other restrictions, excluded Roman Catholics from holding any public office. The Lower House in an address July 3d to the Governor, adopted by a vote of 41 to 6, called to his attention that Popery was countenanced in the Province and its growth encouraged, and that the people had the mortification of seeing Roman Catholics promoted to offices of greater profit, when they should have been removed from all offices. This address pointed out that Henry Darnall, the Attorney-General, and his brother, John Darnall, although now apparently conforming, had been educated in a foreign Popish Seminary and were now educating their children in this religion. It was further declared that undue leniency had been shown by the Governor towards certain notorious criminals, and those

accused of crime, as the result of pressure brought upon him by their influential co-religionists, and ended with the usual charges of attempts by Jesuit priests to convert the slaves and arm them for the destruction of the Protestants, in case the country was menaced by a foreign and Catholic foe. Sharpe in a heated and lengthy reply on July 8th, declared that as the Darnalls had conformed to the established church, and as they performed with ability the offices to which they had been appointed by his predecessor, he saw no grounds for their removal. He then analyzed in detail the charges that favoritism had been shown on account of their faith to certain specified persons accused of crime, and declared that he did not know at the time that clemency was granted what their religion was, but felt certain that leniency towards them was called for. He ended by declaring that no law for security against the Roman Catholics had ever been presented to him by the Assembly for his approval, and that he would not in a matter of such moment undertake summarily to put into execution in Maryland the Statute of William and Mary without taking time to consider the matter carefully, but would employ such other measures for the security of the Province as seemed necessary.

Reference has already been made to the dismissal of Lloyd Buchanan, the delegate from Baltimore County, from further attendance as a member of the Lower House, because he had disqualified himself for membership by "accepting of a Commission from Henry Darnall, Esq.; Attorney General, for the Prosecutor's, Place in Baltimore County, by shewing the same to the Chief Justice of the Court, and leaving it in his hands, . . . and acting Prosecutor at the same Court." One wonders if Buchanan had not been of the Proprietary party whether he would have been so quickly ejected.

During the session, doubtless with a view to hurrying the enactment of the various defence bills before the Lower House, the Governor sent two messages reporting sundry Indian outrages on the frontier of Frederick County. On June 28th he wrote that Col. James Innes had reported that on June 23d two men and one woman had been found killed, and that one man, one woman and six children had been carried off as prisoners; and in a second message dated July 5th, he reported that fifteen more persons out of a party of nineteen had since been killed while on their way to Fort Cumberland for safety. Two days later he sent another message to the Lower House announcing that the French fleet from Brest with four thousand troops had arrived at Louisburg. He also declared that as no couriers had arrived recently at Fort Cumberland from the west, he was fearful that the enemy was between this fort and the expedition under Braddock, and added that he was unwilling to adjourn the Assembly, as requested by the Lower House, until he had brought these matters to its attention. On July 8th, however, "Finding the Business, for which you were

convened, must be left undone," Sharpe, ignorant of the catastrophe which had befallen Braddock, suddenly prorogued the Assembly until January 1, 1756, although its meeting was not destined to take place until two months after that date.

Nothing of importance was enacted at this session, although eleven laws were passed. Five of these continued in operation laws which expired by limitation. Two private acts were passed, one to empower the widow of Samuel Chambers to sell certain lands in Anne Arundel County for the payment of his debts and another to permit John Greenif Howard of Baltimore County to dock the entail to a tract of land in Anne Arundel County. The usual act for the relief of sundry prisoners languishing in county jails was passed. One of the bills passed fixed the fees for jurors and the costs allowed for witnesses in the Provincial Courts. An act was passed to authorize the purchase of two acres of land in the upper part of Worcester Parish, Worcester County, for the erection of a chapel of ease, and another for building a church in the parish of St. Mary's, Whitechapel, Dorchester County.

The fourth session of this Assembly, which was to last four months, met on February 23, 1756, and was opened with a speech by Governor Sharpe. Immediately after the adjournment of the last session on July 8, 1755, the news of the disastrous defeat of Braddock had been received, and the warring houses of the Assembly were now to show themselves more disposed to make mutual concessions. The Lower House continued in force the rules of the former session and reappointed the same committees. The Rev. John MacPherson, a native of Scotland and at that time the rector of St. Anne's Church, Annapolis, was selected to read prayers at the morning and afternoon meetings. The Governor, in his opening speech, did not dwell upon past differences, but submitted a plan for the general conduct of the British campaign in North America against the French. This plan had been communicated by Governor Shirley, who had succeeded Braddock as commander-in-chief, and had been adopted at a Council of War held at New York. Sharpe wrote that since the reverses of last summer the Delaware and Shawanee Indians had deserted to the French, thereby increasing the danger to the frontier. He recommended the prompt passage of a militia law that would render service obligatory, and a revival of the law to prevent the export of provisions and warlike stores which was about to expire by limitation. Under date of February 25th, the Lower House in an address to the Governor, thanked him for the confidence shown it by entrusting, for its information, the plan of the Council of War, promising him that it would immediately comply with his request for a militia law and one regulating exports. The Upper House, in its reply to Sharpe, expressed its appreciation of the fact that after Braddock's defeat he had "heastened to the Frontiers and put them

in the best Posture for defence things would at that time admitt and to declare that we think from this Prudent Conduct of your Excellencys our Borders have been preserved from the Calamities our Neighbours now suffer."

The Governor, under date of March 2d, notified the Lower House of the depredation of the Indians in Pennsylvania near the Maryland-Pennsylvania line, and the measures he had taken to send two ranging parties of twenty men each under Lieutenants Baker and Shelby to protect the inhabitants of Frederick County who had petitioned him for assistance. Again on March 30th he sent a message stating that the settlements near Carlisle, Pennsylvania, were threatened, and later in another message reported sundry Indian outrages.

On March 5th the Lower House in a message to the Upper House said that as it would take considerable time to prepare a bill for defence, it would like immediate concurrence in an ordinance for the payment of £500 out of the Loan Office, to be placed at the disposal of the Governor, to be expended by him to maintain the ranging parties under Baker and Shelby and for the purpose of offering a bounty of £10 for the scalp of every enemy Indian. It will be noted that the value of scalps in recent months had risen from £5 to £10, and was soon to go even higher. The ordinance was promptly concurred in by the Upper House, and scalps must have come in quite plentifully for it was necessary on April 1st to appropriate £250 additional by ordinance for these same purposes.

Special elections were held during this session in Anne Arundel and Charles Counties to fill vacancies in the Lower House caused respectively by the death of Dr. Charles Carroll (1691-1755) of Annapolis and by the resignation of Henry Moore of Charles County. Two young men were now returned to the Assembly who were to figure conspicuously in public life for many years. These were Charles Carroll, the Barrister (1723-1783), son of Dr. Charles Carroll, of the Protestant branch of the Carroll family, and Daniel of St. Thomas Jenifer of Port Tobacco Parish, Charles County.

The preparation of the £40,000 Supply Bill for His Majesty's service was entrusted to the Ways and Means Committee, and on March 11th Philip Hammond of Anne Arundel County, chairman, brought in a report recommending that the money be raised by taxes, licences, and duties on numerous articles, which it was estimated would yield about £8,000 annually, sufficient in five years to "sink" an issue of £40,000 paper money. These included new or increased taxes and duties on spirits and wines, an annual licence on billiard tables; additional import taxes on negroes, horses, pitch, tar, and turpentine; taxes on various writs and other legal papers; and special taxes on land and on land survey warrants. The tax on legal documents was to be made effective by stamping each paper. This was concurred in by both houses without objection, although a

similar tax imposed by Parliament a few years later resulted in an insurrection in the Province. Under the bill as originally introduced there was included a tax of five shillings on each marriage licence issued, but by a vote of 28 to 19 this provision was struck from the bill. The Lower House later substituted a tax on bachelors rated according to their wealth. The land tax was fixed at one shilling for every hundred acres, with a super-tax of one shilling in the case of Papists; these taxes were, of course, in addition to the regular quit-rents payable to the Lord Proprietary. It is to be noted that the Lower House backed down on its insistence to levy a tax on ordinaries, which had been the cause of a deadlock between the two houses in previous sessions, but included other explosives in the bill, which reached the Upper House on April 8th and was returned to the Lower House on April 15th with a message pointing to more than a dozen of its provisions which were objected to, and adding that there were still other items which it might later question.

In all, eighteen messages, usually acrimonious, passed between the two houses on the subject of this supply bill, and a conference had to be held before one was finally agreed upon and passed on May 14th. With all the steps in this dispute we cannot concern ourselves here. The Lower House insisted that the regular parliamentary practice should be followed and *all* the objections of the other house made at the outset, for otherwise it feared that after relinquishing with reluctance certain of its undoubted rights, demands to give up others might then be made. The Upper House resented this intimation that its action was a ruse to involve the other house in a succession of concessions by bringing up new objections as soon as one set had been disposed of, and on April 19th returned the bill with its negative. The Lower House then seems to have made certain trivial changes in the bill, the nature of which are not disclosed, and to have passed it again on April 23d and sent it back as a new bill, with a message repeating the reasons for so doing given in a former message, and indulging in a lengthy quibble as to the use of the word "some," instead of "all" as applied to the objections which the Upper House might see fit to bring forward against items obnoxious to that body. The Upper House promptly returned this second bill with a negative, saying that few of its objectionable features had been removed, although a new and equally objectionable one, vesting extraordinary powers in a committee to be created to fix the land tax, had been added, and reminded the Lower House that the Upper House had as much right to pass upon the various items of a supply bill as the Lower House had to propose one.

Further changes were made in the once more rejected bill by the Lower House, and it was passed on April 28th and again sent up as a new bill. The Upper House rejected this on the grounds that it was substantially the same

bill, but suggested that in view of the precarious condition of the Province a "free compromise" on the bill be held by the two houses. The Lower House agreed to a conference with the reservation that it would refuse to confer on certain of the provisions of the bill. The Upper House rejoined that whether or not the Lower House refused to confer on the disputed points exempted from consideration by the latter, the Upper House reserved the right to act upon all these points as it saw fit; and appointed Philip Thomas and Col. Tasker as its members of the conference committee. The Lower House appointed Philip Hammond, Edward Tilghman, William Murdock, Matthew Tilghman, and Charles Carroll, the Barrister, as its conferees. Thomas Johnson, who was later to become the first Revolutionary Governor of Maryland, was appointed Clerk of the committee.

The bill as finally agreed upon at the conference was a distinct victory for the Lower House, which succeeded in retaining the disputed ordinary licences. Although this item was not discussed in the debates, it was retained by a blanket provision continuing in operation the levies in the Supply Bill passed in 1754 which included these licences. Another item, which probably was in part the basis of the opposition of the Upper House, was the provision taxing lands at one shilling for every hundred acres, including the Proprietary's manors and reserved lands, which was modified and retained. A compromise on this was agreed upon under which all the Proprietary manors were made subject to the tax but only the *leased* portions of his reserves. Agreement was also reached in regard to the method of later apportioning and fixing the land tax in case of a deficiency in the amount required for the sinking fund to be set aside as security for the bills of credit issued.

The act as finally passed on May 14th provided for the issue of bills of credit to the amount of £34,015-6-0, which, together with £5,984-14-0 bills then in the Loan Office unissued, amounted to the £40,000 called for by the Supply Bill. Of this amount not more than £11,000 was to be expended on a fort and four blockhouses on the western frontier to be located at a point not more distant than the North Mountain, and for arming, conveying, and supporting a force there of not over two hundred men. These men were to be raised by the payment of a bounty of twenty-two shillings sixpence each, or if this bounty were not sufficient to induce enlistment, the men were to be drafted. The time of service was to extend until February 10, 1757. This £11,000 was also to include the appropriations made by the two ordinances already passed providing for the support of the rangers now in service, and £3,000 for assistance to, and cultivation of friendship with the southern Indians, including the expenses of Col. Benjamin Tasker and Charles Carroll, the Commissioners to be sent to confer with them. There was also an allowance of £1,000 as a bounty on the

scalps of hostile Indians of £10 each; and £25,000 for the expenses of the *joint* expedition with Virginia, Pennsylvania, and North Carolina against the enemy. These monies were to be expended through the three Commissioners or Agents appointed under the Act who were to make disbursements under orders from the Governor. The Agents named in the bill were William Murdock, of Prince George's County, James Dick, a prominent Scotch merchant living in Londontown, Anne Arundel County, and Daniel Wolstenholm of Annapolis, the last two named not being members of the Assembly. The Supply Bill for His Majesty's service as passed covers forty printed pages of this volume. As a *joint* expedition with the three other colonies was not destined to be made, the Assembly at its next session was then to be called upon to modify this act.

The Roman Catholic question of course came to the fore again. Just before the close of the previous session, it will be recalled that on July 3d the Lower House addressed the Governor at length on the subject, and that Sharpe on July 8th sent a reply to the Lower House in which he showed that many of the statements contained in the address were unfounded. It may be noted here that the Proceedings of the Council show that the answers to the inquiries, directed to the justices of the several counties by the Governor, declared that no treasonable activities by Catholics had occurred anywhere (*Archiv. Md.*, xxxi, 72, 80, 81). At this session, under date of April 15th, the Lower House by a vote of 39 to 4 again came back at Sharpe in a very long address, which was largely a reiteration of the charges against Attorney-General Henry Darnall and his brother, John Darnall, the justice, declaring that popular opinion demanded that they should be removed from office. The charge was also repeated that favoritism had been shown certain criminals through Catholic influences. The Governor replied on April 24th to this address in great detail, going into the charge of favoritism and filing depositions showing conclusively that this was without foundation. The charges against the Darnalls were again discussed. The Governor agreed that no Maryland youth should be educated at "Popish Foreign Seminaries," and said he would approve a law to put a stop to it. He declared that before the Protestant Revolution offices were held by both Protestants and Catholics, and that when the Province was threatened both rushed to its defence. After the Revolution priests were allowed to hold and add to their lands, and until the Scotch outbreak of 1746 the attitude of the Assembly towards the Roman Catholics and the relations between the latter and the Protestants had been friendly. He denied that the Roman Catholics, except in isolated instances, had given trouble.

A bill to prevent the growth of Popery, drawn up in the Upper House, was sent to the Lower House on April 23d. It was exceedingly drastic in its provisions. It prohibited parents sending children overseas to any Catholic school or

college. No one was to conduct a school or act as tutor who did not take the oaths of allegiance and supremacy. Conversion of a Protestant to Catholicism was to be punishable as high treason. A priest, marrying a Protestant and a Catholic, who exacted the promise that the children were to be brought up as Catholics was subject to a fine of £100. All lands held by priests must be sold within three years and no priest might inherit land or money, or purchase land. Priests were to give bond for £500 to keep the peace and not to leave the Province without permission. No Roman Catholic was to keep arms or ammunition except for personal defence. Drastic fines and penalties were provided, one-half of which were to go to the Proprietary for the support of government and one-half to the informer. The Lower House changed the preamble to the bill, put a number of additional teeth in it, and finally made a change in the amount and disposition of the fines and forfeitures, which was doubtless the reason for its rejection in its amended form by the Upper House. This amendment by the Lower House provided that a moiety, instead of going to the Proprietary government, was to be used for the support of the free schools of the Province. In other words, there was to be no rake-off to enrich the Provincial officials. The bill failed of passage, but by the vote of the Lower House it was ordered to be printed in the Journal of its *Votes and Proceedings* of the session.

A separate bill to prohibit Roman Catholics from entering the Province by way of Pennsylvania and Delaware also failed to become a law, apparently because the Lower House objected to any part of the fines going to the Proprietary.

The problem of an adequate supply of arms and ammunition to equip the militia gave great concern. It was reported that a large supply for the use of the colonies was to be shipped from England to Virginia and to New York. Under date of March 3d the Lower House desired the Governor to make a request for a supply for the use of this Province, and also asked him whether the arms lent to Col. Innes by the Province had been returned. Governor Dinwiddie of Virginia wrote Sharpe, March 8th, that none had yet been received from England although it was said that six thousand had been sent to New England to be distributed among the colonies. The Lower House, March 15th, appointed a committee to investigate the condition of the arms and ammunition belonging to the Province. This committee reported in detail on the military equipment and severely criticised the armourer, Henry Walls, for his neglect in the care of the arms. The House then addressed the Governor, requesting him to remove the armourer on the ground that the firelocks and pistols were in general unfit for use. The Governor replied that the armourer was not at fault and that their condition was due to their having fallen in the water at the time of their removal from one of the vessels.

A clash occurred between the two houses over the appropriations to defray certain expenditures of the Provincial government included in the Journal of Accounts, submitted by the Governor to both houses for approval. Of the six items struck out by the Lower House three related to matters of long-standing dispute. One item was an allowance of £100 annually for the rent of Col. Brice's house for the Governor's residence, the Lower House maintaining this amount excessive. Another item objected to was the allowance to the members of the Upper House when sitting as a Council of State, and the yearly salary allowed to John Ross, Clerk of the Upper House, when acting as Clerk of the Council. In the final compromise an allowance of £60 was made for the rent of the Governor's house. The Lower House refused to agree to any payments to the members of the Upper House while sitting as the Council, and although it agreed to allow the salary to Ross as Clerk for this year, declared that thereafter no further allowance for this purpose would be granted. The Journal was finally approved on May 17th.

Indian affairs occupied much of the attention of the Assembly. Indian outrages on the western frontier and the bounty offered for scalps of Indian enemies have already been referred to. On March 2d, the Governor replied to an inquiry from the Lower House as to what he had done to comply with General Shirley's request that a treaty of amity be concluded between Maryland and the adjoining colonies with the Catawba and Cherokee tribes of southern Indians. He suggested that the Commissioners be authorized to negotiate such a treaty, and to show by presents, appreciation of the Cherokees' contribution of one hundred warriors to the Virginia forces for the campaign against the hostile Shawanee towns. Sharpe on May 12th notified the Lower House that Governor Dinwiddie had written him that the Virginia Commissioners reported that these southern Indians would join with them if the Virginians built a suitable fort to protect their women and children, but if this were not done they would join the French, and that Virginia had recently appropriated £2,000 for the purpose. Sharpe then requested the Lower House to permit the money appropriated for presents to be used on the fort. The Lower House declared that the Supply Bill under consideration would contain a provision appropriating £1,500 for cultivating friendship with the Indians and therefore did not think it well to divert any of this money for the construction of the fort.

Various reservations had in the past been set aside in the Province for the use of friendly tribes of Indians, and according to law were to be occupied solely by them or by whites to whom the Indians might rent lands. It would appear that sundry whites, claiming that they had leased them from the Indians, had occupied lands on these reservations and then refused to pay rent. On October 18, 1755, the Indians of Locust Neck, Dorchester County, had petitioned the

Governor for redress (*Archiv. Md.*, xxxi, 83). An act was passed by the Assembly at this session affording a simpler and less costly legal method of evicting such trespassers and wasters, and for obtaining damages against them.

Fear of hostile Indians, and especially of the Nanticokes, a tribe which some years before had moved from Maryland to the West, led to the suspicion that members of this tribe were involved in some of the outrages of the previous summer and were now, on the pretence of hunting, acting as spies for the French. An act was therefore passed requiring all constables in the Province to make a census of the Indians in their several districts, giving the name, both Indian and English, age, and sex, of every Indian, the lists to be filed among the county records. The act further prohibited any Indian from travelling more than ten miles from the town in which he lived, but specifically exempted from its provisions ambassadors of the Six Nations en route to visit the Governor. The Lower House, May 21st, ordered a bill to be brought in to provide for the orphans of Mr. Thomas Cresap, Jr., who had been killed in a late battle with the Indians, but no such bill seems to have been introduced.

The Governor, March 16th, sent a message to the Lower House in which he stated that by action of the Council, the French neutrals lately transported into the Province from Nova Scotia, had been distributed over the Province, except to Frederick County, and that most of them were now quartered in the families of various charitable gentlemen. Those who had been landed at Oxford, in Talbot County, and in Somerset County, had been provided for respectively by Mr. Callister and Capt. Lowes until their separation, and under the Governor's orders Mr. Middleton had carried a number from Annapolis to Baltimore. The Governor declared that these gentlemen should be reimbursed for the trouble and expense they had incurred. On April 10th, Joseph L'André and the other Acadians at Oxford petitioned the Governor for relief, and on April 19th the Governor again reminded the Lower House of the plight of these unfortunate French neutrals and sent, for its information, a copy of an act just passed by the Pennsylvania Assembly for the relief of those in that colony. He also requested that a bill be prepared to prevent their removal from the counties into which they had been sent, and to intercept such as might try to reach the western frontier. The Lower House on May 3d, ordered the Committee of Laws to bring in a bill requiring the several county courts to make a levy for their support. An Act was then passed which recited that the Governor of Nova Scotia had thought it of advantage to the British interest to distribute the French inhabitants of that Province among other British colonies; that numbers had been brought to Maryland, who, out of compassion for their unhappy condition, had been permitted to land, and later distributed throughout various counties in order that they might earn their living by their own labor and industry. The

bill further declared that although some through obstinancy, refused to support themselves, others were not sufficiently able-bodied to subsist. The county justices were authorized to care for those whom they might deem objects of charity, as they cared for the poor; if it were found that any county had received more than its quota, the Nova Scotians were to be sent to counties in which the quota had not been filled. Children of parents unable to support them were to be suitably apprenticed, constables were directed to file with the county court complete lists of all these French neutrals, and none were to be permitted by them to travel more than ten miles from their homes. It is to be noted that many of these French Acadians settled in Baltimore Town in the neighborhood of what is now Charles and Lombard Streets and this section until long afterwards was known as French Town.

Eighteen acts in all were passed at this Assembly. The more important ones, the Supply Bill for His Majesty's service, and the laws relating to the Indians and the Acadians have already been referred to. The act passed at the last session to prevent the export of military stores and provisions was amended and re-enacted. Four separate acts making legal the continuance of various judicial processes in as many different counties, which had lapsed because the several county courts had not met on the day to which they had been adjourned, were passed. One of these, that for Cecil County, further provided the legal machinery by which the necessity in future for such special acts was avoided. In the preamble to the acts relating to Frederick County it was declared that the defenceless condition of the back country had prevented many of the litigants from coming to the hearings. In other cases, the severe weather had prevented the meeting of the courts.

Acts for providing funds for the completion of the church at Snow Hill in All Hallows Parish, Worcester County, for building a causeway through Vienna Marsh opposite the town of Vienna in Dorchester County, and for requiring the owners of mill-dams to build bridges or causeways to prevent the flooding of public roads were passed. The usual act for the relief of a large number of individuals languishing in prison for debt was passed; and that continuing the law providing for the punishment before one justice of fornicators and adulterers, enacted. The customary act providing for the printing of the Session Laws and Votes and Proceedings by Jonas Green, the public printer, was passed. Following the approval by both houses of the Journal of Accounts, showing the amount due by the Province to its various creditors, an act was passed calling for a levy and assessment upon the taxable inhabitants, payable in two annual installments, sufficient to raise £1538-12-8 current money and the 4,605,996 pounds of tobacco required for this purpose.

Two private acts were passed, one to entail lands in Prince George's County on the female heirs of Leonard Hollyday, deceased, and the other to rectify certain errors in a defective deed to a town lot in Annapolis from Thomas Larkin to John Jordan made in 1728, both parties being now deceased. The Assembly after a long session of three months was prorogued by the Governor on May 22d, until the first Monday in January 1757, although it was to be brought together again on September 14, 1756, some months before the date to which it was prorogued.

Sharpe called the Assembly together on September 14, 1756, because of the receipt of letters from Henry Fox, the Secretary of State of the King, and from the Earl of Loudoun, the new commander-in-chief of the British forces in America. Although active warfare between the English and the French in North America had been carried on for some two years, war had not been formally declared by England until May 27, 1756, and the Proclamation to this effect was not published in Annapolis until August 11th. After the fall of Oswego the French and their Indian allies became more aggressive in their attacks upon the Maryland frontier and the settlers fled eastward in large numbers. Many of these settlers were Germans and Sharpe expressed in no uncertain terms his contempt for their failure to make the least attempt to defend themselves. It became necessary to send the militia from the eastern counties to defend the frontier (*Archiv. Md.*, vi, 481-4; 490-2). In his opening speech the Governor announced that Fox had requested that the Assembly make provision to compensate the masters of indentured servants who might wish to enlist in the army for their unexpired terms of service, that every assistance be given to forward enlistment in the Royal American Regiment, that funds raised by the Province for defensive purposes be made available for use by the commander-in-chief as he might direct, and that the embargo be tightened on the export of provisions and arms to prevent these getting into the hands of the French. Loudoun's letters to Sharpe from New York and Albany, dated respectively July 25th and August 20th, announced the further advance of the French in that region, that Oswego had fallen with the destruction of the British naval power on the lakes, and that Maryland now must defend its own frontier as he could do no more than hold the enemy in the North. He further urged that every effort be made to secure recruits for the four battalions of the Royal American Regiment for which the King was sending officers, and added that he would advance the money required for recruiting until the Province itself had an opportunity to make the necessary appropriation.

The Lower House organized by adopting the rules of the last session and appointing the same officers and committees that had served at that session, except that the Rev. Clement Brooke, curate of St. Anne's, Annapolis, instead

of John MacPherson who had been transferred to another parish, was selected to read prayers twice daily. A few days after the opening of the Assembly, the Speaker, Henry Hooper of Dorchester County, became ill and incapacitated, and Alexander Williamson of Kent County, with the approval of the Governor, was chosen Speaker. A notable addition to the membership of the House appeared at this session in Daniel Dulany, the younger, elected from Annapolis, the Proprietary stronghold, to succeed Stephen Bordley, appointed Attorney-General of the Province and Naval Officer of the Port of Annapolis. Levin Gale was elected from Somerset County to succeed Robert Jenckins Henry, appointed to the Council, doubtless as a reward for his fidelity to the Proprietary interest in the Lower House. Charles Carroll, the Barrister, who had recently returned from England where he had studied law at the Inns of Court, a comparatively new member, was especially active as one of the leaders of the County party.

The Governor, September 16th, submitted to the Lower House a copy of a letter of instructions he had sent to the colonels, or commanders-in-chief of the militia, in the several counties urging them to begin at once recruiting and enlisting. The Governor expressed the hope that as the bounty money was considerable they might be able to purchase the unexpired time of service of indentured servants whose terms had nearly expired. When recruited the men were to be lodged at ordinaries at a cost of not more than a shilling a day. The recruiting instructions sent with these letters forbade the enlisting of Roman Catholics or deserters, and required that those accepted be between the ages of eighteen and forty, and not less than five feet six inches in height, although lads under eighteen, if not less than five feet four inches in height might be taken. The ill-limbed, sick, weak, pot-bellied, and frostbitten were to be refused. Recruits were not to be paid more than £5 currency as a bounty and every effort should be made to secure them at a lower figure.

The Lower House registered a vigorous objection to recruiting indentured servants, and to the suggested payment of masters for their unexpired terms, as suggested by Fox, and refused by a vote of 25 to 10 to make any allowance for this purpose. It also objected to the Governor's recruiting orders that "as soon as possible" after enlistment the recruit be taken before a magistrate and sworn, on the grounds that an act of Parliament provided that after enlistment recruits should be sworn within four days, but in not less than twenty-four hours. It will be of interest to note here that the proposed enlistment of indentured servants aroused violent opposition throughout the Province, and that Sharpe had written Shirley under date of February 2d that as the inhabitants had a great part of their property invested in servants, if an attempt were made to recruit them an insurrection was likely to occur (*Archiv. Md.*, xxxi, 105). The Council Pro-

ceedings for this period show that Charles Ridgely and Joseph Watkins did actually head an armed force in Baltimore County to prevent such enlistment. Sharpe also quoted Daniel Dulany and Edward Dorsey, two of the leading lawyers of the day, to the effect that enlistment of servants was probably illegal (*Archiv. Md.*, xxx, 105-13; 154-5). The question of the enlistment of servants seems then to have been dropped, but not until armed resistance on the part of prominent planters in Baltimore County and elsewhere had resulted in actual conflict with the recruiting officers (*Archiv. Md.*, vi, 461, 462, 467, 473).

The Lower House also resolved that the passage of a revised law to prevent the export of provisions and arms which might reach the enemy was unnecessary, and passed an act continuing in effect the existing law for one year.

In reply to an address of the Lower House that it had come to a determination in regard to the various matters urged by the Governor in his recent message and was now ready to consider any other recommendations that he might care to make, Sharpe, September 20th, sent a message to the Lower House urging the passage of an adequate militia law which would give officers power to compel the militia under them "to march and serve in Defence of their Country," and to discipline and regulate adequately the militia in other ways.

The Lower House on September 21st, after objecting by a vote of 25 to 18 to a resolution requesting the Governor to communicate his further views on what measures should be taken to advance recruiting and the defence of the Province, proceeded itself to formulate plans. Resolving that funds be made available for the purchase of arms and ammunition, the House on September 22d requested the Governor to submit a detailed statement of the quantity and character of arms and other military supplies now in the Province. The reply of the Governor, in addition to giving a detailed report and list of the arms and ammunition available, which he added had been reduced by five hundred small arms lost at the Battle of Monongahela on the Braddock expedition, gave an interesting picture of general conditions in Maryland. He stated that the white population numbered 108,000 and the negroes 46,000 which, it is to be noted, was almost as high a proportion of negroes to whites as there was to be found at any time in the history of the Province. He estimated that of the whites, 26,000 were able to bear arms, but that with the Roman Catholics, civil officers, and servants exempted, not more than 16,500 men were available, and that of this number one-third had no arms whatever, and that many of the remainder had arms scarcely fit for use. He added that the militia as a whole was undisciplined and could not be compelled to serve for want of an adequate militia law. Of completed fortifications there were none deserving of the name, although

there were a few scattered palisaded forts for the defence of the women and children, and a larger one, Fort Cumberland, scarcely capable of defence as it was commanded on all sides by hills. This fort was located on the Potomac, fifty-six miles beyond the Severn, was garrisoned by three hundred Virginians, and contained some of the military stores which had escaped destruction on the Braddock expedition.

In reply to the inquiry of the Lower House as to the status of the new fortifications recently authorized by the Assembly, the Governor sent a message dated September 25th, submitted plans of Fort Frederick, and communicated a letter from Capt. Alexander Beall giving details of its construction; and the Governor estimated that the fort which was to be constructed on the North Mountain would cost at least £5,000. He reported that he had ordered one hundred of the Prince George's County militia under Col. Joseph Belt and one hundred Baltimore County militia under Col. John Hall and Capt. Tobias Stansbury to be sent to Frederick County as rangers for the defence of the Conococheague settlements, and added that the Prince George's men were all volunteers, but that it was necessary to draft some of the Baltimore County men as they were unwilling to leave their homes because of fear for the safety of their own county. The Lower House thereupon resolved, September 8th, that £2400 be used towards completing Fort Frederick and maintaining the garrison; and on September 29th, that one hundred additional men be sent to garrison Fort Frederick, and on the 30th, that one hundred other rangers be enlisted to replace the two hundred Prince George's and Baltimore County men when their terms of enlistment should expire. On September 30th the House expressed its approval of the Governor's action in sending these rangers to the defence of the frontier and of his providing for them by victualing instead of "pressing" food for their use. But immediately following this resolution of thanks, the House on October 2d registered its disapproval of the action of the Governor in drawing upon the Agents of the Province for £630-2-8 to pay the expenses of the rangers without specific authority from the Assembly to do so, and an acrimonious dispute between Sharpe and the Lower House followed. The House demanded that the Governor personally reimburse the Agents for this amount, and that it would then appropriate sufficient money to repay him the amount he had expended as it had promised to do. The Governor in a hot reply refused to do so, and intimated that from the recent actions of the House and the vague statement that it would consider some method of repaying him, it had given him reason to be suspicious of its "engagement," and that as he had need of the money for recruiting the Royal American Regiment he was justified in thus drawing upon the Agents. By the close vote of 18 to 17 the House struck out of the draft

of its reply to the Governor, drawn up by its committee, the offensive phrase "we are active and vigilant in detecting all Misapplications," many of the members of the County party joining with the Proprietary following in voting against this affront to the Governor. Later Sharpe submitted a detailed account of his expenses to maintain the rangers, and the Lower House afterwards reluctantly approved the expenditure. This is apparently the undated account printed in the Appendix (pages 674-5).

Another supplementary act to the £40,000 Supply Bill for His Majesty's service extended the time for reporting private supplies of liquor for taxation and for furnishing lists of taxable bachelors.

The Lower House then took up the consideration of the expenditure of £25,000 for military purposes which had been appropriated under the terms of the Supply Bill passed at the previous session. The bill as it was passed provided that this £25,000 should be used to defray Maryland's share of the costs of a *joint* military expedition with Virginia, Pennsylvania, and North Carolina against the French and Indians. As this *joint* expedition had been abandoned under the plan of campaign formulated by the British commander-in-chief, Governor Loudoun, this sum now became available for other military purposes, and the Lower House took under consideration a bill supplementing and amending the Supply Bill for His Majesty's service. This supplementary bill after considerable debate was finally passed. It provided for enlisting, provisioning, and carrying to New York three hundred men for Loudoun's Royal American Regiment, for one hundred additional militia to augment the two hundred already on the frontier, for completing and garrisoning Fort Frederick, for purchasing additional arms and ammunition, and for raising the bounty on Indian scalps and Indian prisoners from £10 to £50. It will be noted that the scalp bounty in our two-year period had been raised from £5 to £10, and was now further increased to £50. This act also provided for the payment of the disputed £630-2-8 for the rangers now adjusted at £620.

Again the question of the right of the Lord Proprietary to all money raised by the two-shilling export tax on every hogshead of tobacco came to the fore. A bill entitled "An Act for Settlement of an annual Revenue upon her Majesty's Governor" was read in the Lower House on October 5th, and was ordered printed in the *Votes and Proceedings*. The bill recited in detail the history of the tobacco export tax, registered a protest against the payment of a moiety to the Proprietary for the charges of government, and more particularly to the appropriation by the Proprietary to himself of threepence of this moiety of twelve shillings, set aside by Queen Anne to be used for the purposes of defence. This act seems to have been read merely to record the sentiment of

the Lower House and to disprove the pretensions of the Proprietary, the title indicating that it harked back to the act of 1704 passed in the reign of Queen Anne which the Lower House asserted was still operative.

After spending some days in considering a militia bill as requested by the Governor, and voting on various exemptions and other details, the Lower House on October 7th by a vote of 20 to 14 suddenly decided not to consider the bill further at this session.

The Lower House also postponed action upon the recommendation of the Governor that Maryland join with Virginia in erecting a lighthouse at Cape Henry.

The usual audit by a joint committee of the two houses of the Paper Currency or Loan Office, was made and approved, and the Governor was urged to bring suit against sundry sheriffs who had failed to pay over to the Province certain monies which had been collected by them.

The act to prevent warlike stores and provisions from reaching the enemy, which had passed at the third session, and had been continued at the fourth, and was now about to expire by limitation, was again continued in effect until May 1757. The act, passed at the preceding February-May session, for building a causeway through Vienna Marsh in Dorchester County, was repealed and a new law for the same purpose passed. An act reimbursing the owners of tobacco stored in a public tobacco warehouse in Charles County and the usual act to pay Jonas Green for printing the Session Laws and the *Votes and Proceedings* of the Lower House were passed. The Assembly was then prorogued on October 9th to meet again March 31, 1757.

In the choice of the material of this period for publication there are available both manuscript and contemporary printed records of the proceedings of the Lower House and of the acts of the Assembly. The proceedings of the Lower House in printed form known as the *Votes and Proceedings of the Lower House* were published immediately following the conclusion of each session. In addition to this printed record the State possesses a complete series of volumes containing the manuscript records of the proceedings of the Lower House. These may be looked upon as the official records of the activities of the Lower House. In addition to official records inscribed in these old libers, there have been preserved for many of the sessions the rough notes kept by the Clerk of the Lower House from which these official records in the old libers were copied. In general, it may be said that the material as it now appears in this volume of the *Archives of Maryland* is based in form on the *Votes and Proceedings* as printed by Jonas Green of Annapolis, the Provincial printer, checked up with the official manuscript libers. Where differences occur, that found in

the manuscript libers has been used. In a few instances where obvious errors in the manuscript have been detected by the printer and corrected, the printed form has been followed.

The Acts of the Assembly also exist in printed form and in the official manuscript libers owned by the State. In general the printed session laws have been used as the basis of the acts as they appear in this *Archive*, but these have been also checked up with the manuscript libers containing the laws, and where differences occur the latter have been followed, unless errors have been detected in these which have been corrected by Jonas Green in his contemporary printed session laws.

The proceedings of the Upper House exist only in the official manuscript form and are preserved in old libers as are the proceedings of the Lower House. The Upper House, representing the Lord Proprietary, and identical in membership with the Governor's Council, was composed of members appointed by the Proprietary. These not being elected as were the members of the Lower House, had no incentive to print their proceedings to gain favor with an electorate, as did the Lower House.

In the Appendix will be found a number of hitherto unpublished papers, preserved among the manuscript archives of the State, bearing upon matters referred to in the proceedings of the Assembly for the years 1755-1756. These papers include: (1) a petition dated March 3, 1755, which was circulated by the rector, vestrymen, churchwardens, and other parishioners of St. Paul's Parish in Baltimore County, bearing numerous signatures, asking the authority of the Assembly to levy a tax for the repair of the parish church; (2) a petition of the freeholders and inhabitants of Calvert County, endorsed May 22, 1756, approving the address of the Lower House to the Governor dated July 3, 1755, requesting the enforcement in Maryland of the Penal Laws of England against the Roman Catholics; (3) three undated petitions, practically identical in wording, of the freeholders and freemen of All Saints Parish in Frederick County requesting its division into two parishes upon the death of the rector, circulated in various parts of this very large parish and bearing the signatures of numerous inhabitants, some of the signatures being in German script and so faded as to be practically undecipherable; and (4) a copy of Governor Sharpe's accounts for the support of the ranging parties on the western frontier from February to May 1756, which was the subject of a bitter controversy between the Governor and the Lower House.

The index of this, as of the two preceding volumes of the *Archives*, has been compiled by Miss Elizabeth Mann.

The next two volumes of the *Archives* will contain the proceedings of several Maryland county courts and will continue the Court sub-series of which the last volume of the *Archives*, Volume LI, the *Proceedings of the Court of Chancery of Maryland, 1669-1679*, forms a part. It is expected in these two volumes to include the earliest mid-seventeenth century proceedings of the county courts of Kent, Charles, Talbot, and Somerset Counties.

Respectfully submitted,

SAMUEL K. DENNIS,

J. HALL PLEASANTS (*editor*),

JOHN M. VINCENT,

Committee on Publications.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, February 22–March 26, 1755.
Being the Second Session of the Assembly Elected in 1754.*

FREDERICK CALVERT, LORD BALTIMORE,
Lord Proprietary.

HORATIO SHARPE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Saturday the 22d day of February in the 4.th year of his Lordships Dominion Annoque Domini 1755.

U. H. J.
Liber No. 35
1755.
February 22
p. 1

Present

His Excellency Horatio Sharpe Esquire Governor.

The Honourable	{	Benjamin Tasker Esq. ^r	}	Co ^t Benjamin Tasker
		Co ^t George Plater		Benedict Calvert Esq. ^r
		Philip Thomas Esq. ^r		Richard Lee Esq. ^r

Mess.^{rs} Tilghman and Jordan from the Lower house acquaint his Excellency that there is a Sufficient Number of Members to make a House and wait his Excellencys Commands.

Colonel Plater and Richard Lee Esq.^{rs} are sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower house in the upper house

The Lower house Attend and his Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower houses of Assembly

As you have already expressed yourselves Sufficiently Sensible of the fatal Consequences that must attend the Enemies remaining Masters of that part of his Majestys Dominions to the Westward on which they have lately presumed to raise Forts and make Settlements; and have promised that nothing shall be wanting on Your Part to avert the imminent Danger with which their Vicinity threatens Us; it only Remains with me now to hope that you will fall on the most Prudent and unexceptionable Measures to raise as large a Sum as the Circumstances of this Province will Allow and Generously and gratefully Express your duty to the best of Kings, and your Care and Regard for the Lives and fortunes of yourselves and fellow Subjects. The Advice and Instructions I have received from home Since our last Meeting might give me occasion to enlarge on the tender and Paternal Care that his Majesty has been most Graciously pleased to Shew for the Security and welfare of his Subjects in these parts of his Dominions; but as I am persuaded that I need not Attempt to add to the weight of a Letter *

* Letter from Sir Thomas Robinson printed on pages 48-50.

U. H. J.
Liber No. 35
February 22

that I have received from one of his Majestys principal Secretarys of State which Sets in the Strongest Light That, and the Several other Motives which should Prompt us to exert our selves on this Occasion; I will Satisfy myself with laying it before you and with
p. 2 exhorting you to consider how far the Season is already advanced and to finish the Business for which you are Assembled with the greatest Dispatch. Gentlemen I take this Occasion of recommending to you to regulate the hire of Waggon and Horses in Case the Service should require us at any time to impress either in this Government which I do not doubt but you will think highly Proper and Reasonable when I acquaint you that a short Experience has Shewn that many of the Inhabitants have raised the Price of Carriage Since the begining of these unhappy Disturbances in proportion as they found we Stood in need of their assistance. I must also observe to you that the few men We have been hitherto obliged to Quarter in or March thro this Province have Occasioned a very extravagant Expence by Reason the Ordinary Keepers refused to Receive any into their houses or afford them Entertainment but at the Rates that have been Settled by the Magistrate of the Respective Counties for Private Travellers and Passangers: These Prices I doubt not you will think too great to be paid for private Soldiers, and you will I hope regulate them by a Bill in a Moderate and Reasonable manner which will Remove all Occasion of Dispute between the Soldiers and the Inhabitants.

Gentlemen of the Lower house I shall acquaint you by a Message how part of the Six thousand pound which you granted some time Since has been disposed of for the Service and shall be much pleased if my manner of expending it receives your approbation

Adjourned till Monday Morning ten of the Clock

February 24

Monday Morning 24th February 1755.

This house met again according to Adjournment

Present

The Honourable	{	Benjamin Tasher Esq. ^r	}	Richard Lee Esq. ^r
		Col George Plater		Benedict Calvert, Esq. ^r
		Col Benjamin Tasker		

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 25 February 1755.

This house met again according to Adjournment

U. H. J.
Liber No. 35
February 25

Present as Yesterday

A Message from the Lower house of Assembly by Mess.^{rs} Dulany & Earle.

By the Lower house of Assembly 25th February 1755

May it Please Your honours

This house hath appointed M.^r Dulany M.^r Earle Co^t John Henry M.^r Edge M.^r Bealle and M.^r Handy a Committee from this house to Inspect the Accounts and proceedings of the Commissioners for Emitting Bills of Credit established by Act of Assembly and desire your honours to appoint one or more of the Members of your house to join in the said Committee

Signed p Order M Macnemara Cl Lo H.^o

The following Message is Sent to the Lower house of Assembly by Benedict Calvert Esq.^r

By the Upper house of Assembly 25th February 1755

Gentlemen

This house hath named Richard Lee Esq.^r to join the Members appointed by your house in a Committee to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office

Signed p Order John Ross Cl Up Ho

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 26th February 1755

February 26

This house met again according to Adjournment

Present as Yesterday with the Addition of Co^t Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Co^t Edward Lloyd

Benjamin Tasker Esq.^r attended by the Members of this house presents to his Excellency the Address of this house which is as follows viz.^t

U. H. J. To his Excellency Horatio Sharpe Esq.^r Governor and Commander
 Liber No. 35 in Chief in and over the Province of Maryland
 February 26

The humble Address of the Upper house of Assembly

May it Please Your Excellency

We return Your Excellency our Sincere thanks for the Speech you was pleased to make to both houses at the opening of this Session and Since we cannot express in Stronger Terms than we have heretofore done, our Sense of the fatal Consequences that must attend the Enemys Success in their Attempts on his Majestys Dominions to the Westward, nothing more remains for us to Say on the Occasion, than to assure you, that We continue in the same Sentiments and Resolutions and shall be heartily glad to have it in our Power to give a fuller Confirmation thereof than by words only.

We shall pay all due regard to what your Excellency has been pleased to Recommend, relating to such Regulations as his Majestys Service may require in the hire of Waggon and Horses and the Expences of Quartering Soldiers in the publick Ordinaries on their
 p. 4 March through this Province and if any other Matter shall be Laid before us, We shall Carefully Endeavour to discharge our duty therein.

Benj.^a Tasker Presid.^t

Adjourned till to Morrow Morning ten of the Clock.

February 27

Thursday Morning 27 February 1755.

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

February 28

Friday Morning 28th February 1755.

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

U. H. J.
Liber No. 35
February 28

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 1 March 1755.

March 1

This house met again according to Adjournment

Present as Yesterday except Co^t Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning.

A Bill from the Lower house by M.^r Philip Hammond and Nine others Entitled an Act for Raising a Supply towards his Majestys Service thus Endorssed.

By the Lower house of Assembly 1 March 1755.

Read the first and Second Time by an especial Order and will Pass

Signed p Order M Macnemara C^t Lo H.^o

Adjourned till Monday Morning ten of the Clock

Monday Morning 3 March 1755

March 3

This house met again according to Adjournment

Present

The honourable	{	Benjamin Tasker Esq. ^r	}	Co ^t Edward Lloyd
		Co ^t George Plater		Richard Lee Esq. ^r
		Co ^t Charles Hammond		Benedict Calvert Esq. ^r

Read the Petition of John Greeniss Howard of Baltimore County Praying leave to bring in a Bill to cut off the Entail of part of a Tract of Land called Harborough and to Settle part of a Tract of Land called the Isles of Caprea in lieu thereof Referred to the Consideration of the Lower house of Assembly & sent by Richard Lee Esq.^r

Read the Petition of the Rector Vestrymen and Churchwardens and Others the Parishioners of S.^t Pauls Parish in Baltimore County Praying leave to Assess the Sum of four hundred Pounds for the Repairs of their Church. Rejected [See Appendix, page 667.] p. 5

Read the first Time the Bill Entitled an Act for Raising a Supply towards his Majestys Service and ordered to lye on the Table.

Adjourned till three of the Clock in the Afternoon

U. H. J.
Liber No. 35
March 3

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess.^{rs} Lloyd and Stoddard Entituled An Act directing the Commissioners of the Paper Currency office to call in the Interest due on Bonds and other Securities and all Monies due on Funds payable into the said office thus Endorssed.

By the Lower house of Assembly 3 March 1755

Read the first and Second time by an Especial Order and will pass

Signed 7p Order M Macnemara Cl Lo H^o

Read the first Time in this house and Ordered to lye on the Table.

Adjourned till to Morrow Morning ten of the Clock

March 4

Tuesday Morning 4th March 1755.

This house met again according to Adjournment

Present as Yesterday except Co^t Hammond

The Governor is pleased to Communicate his Answer to the Address of this house which is as follows.

Gentlemen of the Upper house of Assembly

I return you thanks for your Obliging Address; and permit me to assure you that I am fully Convinced that you have nothing more at heart than the Service that my duty obliged me to recommend to you, and that you are exceedingly desirous of manifesting by your actions the Sincerity of the Professions which you had before made and have again on this Occasion repeated.

Hor.^o Sharpe

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

March 5

Wednesday Morning 5 March 1755.

This house met again according to Adjournment

Present as Yesterday

Adjourned till Friday Morning ten of the Clock

Friday Morning 7th March 1755

This house met again according to Adjournment

Present as on Wednesday

Adjourned till three of the Clock in the Afternoon

U. H. J.
Liber No. 35
March 7

Eodem Die post Meridiem

This house met again according to Adjournment.

p. 6

Present as in the Morning

Read the Petition of the Justices of Baltimore County Court Praying an Act may pass for the Continuance of the Actions in their County Court. Read the Petition of John Gassaway of Ann Arundel County praying an Act may Pass to impower & direct the Clerk of Baltimore County Court to Record among the said County Records a Deed of bargain and Sale from Issac Johns to Robert Adair. Read the Petition of William Young Sheriff of Baltimore County praying a Sum of Money may be raised for the Repairs of the Prison of the said County, Referred to the Consideration of the Lower house of Assembly and Sent by Richard Lee Esq.^r

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 8th March 1755.

March 8

This house met again according to Adjournment

Present as Yesterday

His Excellency is pleased to Communicate to this house the following Message.

Gentlemen of the Upper house of Assembly

Having just received Advice from the Lord Proprietary I take this Opportunity of Paying the most ready obedience to his Lordships Instructions by acquainting you that his Lordship has on a full, deliberate Consideration of the Several Acts that were Enacted in the October Session 1753. Signified to me that the Objections which lye against some parts of the Act entituled an Act for Amending the Staple of Tobacco for preventing Fraud in his Majestys Customs and for the Limitation of Officers fees, would have Induced him to Signify his immediate dissent to that Act had not a sense of the great Utility of that part of the Act which relates to the Staple of Tobacco, his Lordships affectionate Regard for his Tennants and a firm persuasion that you will readily Concur with the other house in Preparing a Bill to Repeal the parts objected to, Inclined him to Suffer the Act to Continue till his Pleasure thereon could be made known to you, that you may have an Opportunity to agree with the Gentlemen of the other house on such Repealing Act as his Lord-

U. H. J.
Liber No. 35
March 8

ship Expects and desires, the Exceptionable Clauses are those that relate to the regulating and Limiting officers fees and the Rates of English and Foreign Coins; such an Act as his Lordship mentions I most earnestly recommend to you hoping you will Proceed thereon in a manner that will give entire Satisfaction

The Lord Proprietary has been Also pleased to Signify to me that many weighty and most Important Reasons have Induced him to Dissent to the Act Entituled an Act to empower the Several Courts within this Province to Order Commissions for the Examination of Witnesses Residing beyond Sea and for the more Easy forclosure of Mortgages that was Enacted at the Session But his Lordship has been pleased to intimate that he does not Conceive the three Clauses of this Act which Respect the more Easy foreclosures of Mortgages to be liable to any Objections and that it is not on Account of that part that his Lordship has dissented to that Act.

p. 7 His Lordship has also been prevailed on by Cogent Reasons to Send his dissent to one other Act of Assembly passed at the same Session Entituled an Act to Repeal an Act Entituled an Act for the Confirmation of the Lands therein mentioned to Richard Bennett Esq.^r of which Particulars, Gentlemen I take this Early opportunity of Informing you in Obedience to his Lordships Requisition and Instructions *

Hor.^o Sharpe

Benjamin Tasker Esq.^r Attended by the Members of this house presents to his Excellency the following Address

To his Excellency Horatio Sharpe Esq.^r Governor and Commander in Chief and Over the Province of Maryland

The humble Address of the Upper house of Assembly

May it please Your Excellency

We are much obliged to your Excellency for your Early Communication of his Lordships Instructions Relating to the Acts Passed in November 1753 by your Message of this day we are extreamly Sorry his Lordship should have any objections to those Acts and Particularly to that Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers Fees, and hope some Expedient will be found to render it more agreeable to his Lordships Expectations and this Province be preserved from the Misfortune of loosing one of its Valuable Laws to such an Expedient we do assure your Excellency we shall most heartily Concur.

Benj.^a Tasker Presid.^t

Read the Second time the Bill Entituled an Act directing the Commissioners of the Currency Office to call in the Interest due on Bonds

* See *Archiv. Md.* 1.

and other Securities and all Monies due on Funds payable into the said office and will Pass Sent to the Lower house by Richard Lee Esq.^r U. H. J.
Liber No. 35
March 8

A Bill from the Lower house by Mess.^{rs} Smallwood and Casson Entituled an Additional Supplementary Act to the Act entituled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees thus Endorssed

By the Lower house of Assembly 5 March
Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara C^t Lo Ho

By the Lower house of Assembly 8 March 1755
Read the Second time and will Pass

Signed p Order M Macnemara C^t Lo Ho

Read the first time in this house and Ordered to Lye on the Table
Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower house by Mess.^{rs} Scarborough & Hawkins Entituled an Act directing the Commissioners of the Currency Office Speedily to call in the Interest due on Bonds and other Securities and all Monies due on Funds into the said office thus p. 8
Subscribed

8 March 1755

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara C^t Lo Ho

Read and assented to by this house and ordered to be so Subscribed
Adjourned till Monday Morning ten of the Clock

Monday Morning 10th March 1755.

March 10

This house met again according to Adjournment

Present

The Honourable	{	Benjamin Tasker Esq. ^r	{	Richard Lee Esq. ^r
		Co ^t George Plater		Benedict Calvert Esq. ^r
		Co ^t Benjamin Tasker		

Adjourned till three of the Clock in the Afternoon

U. H. J.
Liber No. 35
March 10

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time the Bill Entituled an Act for raising a Supply towards his Majestys Service and will not pass, sent to the Lower house with the following Message by Richard Lee Esq.^r

By the Upper house of Assembly 10th March 1755.

Gentlemen

After duly Considering the Bill that you was Pleased to Send to us under the Title of an Act for raising a Supply towards his Majestys Service We have thought fit to return it with a Negative for Reasons which We hope will in Your Opinion justify our Refusal of that Bill and incline you to frame a less exceptionable one for the Important Service which by this you proposed to promote to that part of the Bill which directs, the issuing and making Current the Sum of £4015..6..0 as an Additional Sum to the Bills of Credit that have been made Current and is at Present in Circulation according to a Law of this Province Enacted in the Year 1733 We object, because we we are persuaded that an Emission of such a Number of New Bills manifestly tends to depreciate the Credit of our Paper Currency, which We think it the Duty of each Branch of the Legislature for many obvious and weighty Causes to Support, We observe also that to answer the Purposes of this Bill the Several Sums now lent on Loan according to the Intent and Direction of the said Law of 1733 must be called in which We apprehend would in Some Proportion lessen the Security or fund of our Currency to Repay the Loan Office part of the £10000. We observe that the Bill appropriates the Fines and Forfeitures Accruing from Ordinary Licences which had we no other Motives to Object to that part of the Bill and to such an Appropriation, We think are too far Mortgaged already to be Subjected to the Payment of other Monies of which We Remember the late house of Delegates were Convinced when they insisted about a Year Since that the Ordinary Licence Fund was too far engaged to to be made liable to the Payment of so Small a Sum as £500. And Gentlemen as We think the Bill now returned in many parts improper so We Conceive that some Parts of it if passed into a Law would be so far from promoting the End which We Suppose is designed, that hardly any thing could be imagined more destructive thereto as a means of preventing the farther Encroachments of his Majestys Enemies on these his American Dominions We Apprehend we ought to encourage the Settlement of the back and remote parts of this Province and his Majestys Lands behind us with good British Subjects at the same time that his Majestys Troops are employed against the Enemies who have pre-

sumed to Encroach on and build Fortresses within his Majestys Territories, But we cannot prevail with our selves to believe that this Bill will have any such Effect but rather that the Imposition of an Additional duty on every English Servant into this Province Seems Calculated to impede such a Settlement and we leave to your Consideration whether it would not be better in such a Conjuncture as the present to encourage the Importation of Loyal English Subjects by a bounty than to deter them from Coming among us, by laying a duty on their heads at their Arrival with Respect to that Clause that imposes an Additional duty on Criminals we fear it may be Deemed to Clash with his Majestys Authority and that by Consenting thereto We may draw a Censure from the Throne and Run the Risque of incurring his Majestys displeasure We could Suggest many other Reasons against this Bill, but not doubting but what we have already said will be Sufficient to Convince you of the Impropriety of the Bill in its present form. We hope the fervent Zeal for his Majestys Service and the Common Cause that actuated you to Vote for such a Generous Supply will incline You to Testify your Sincere Intentions by framing a very Different Bill from that which We now return you

U. H. J.
Liber No. 35
March 10

Signed p Order John Ross Cl Up. Ho.

Richard Lee Esq.^r from the Committee Appointed to Inspect the Accounts and proceedings of the Commissioners of the Paper Currency Office brings in the following Report viz.^t

Maryland ss.^t

At a Committee of both houses of Assembly Appointed to Inspect the office and proceedings of the Commissioners for Emitting Bills of credit established by Act of Assembly

26 February 1755

Were Present

The Honourable Richard Lee Esq.^r of the Upper House

M. ^r Walter Dulany, M. ^r Michael Earle	} of the lower house
Col ^t John Henry, M. ^r James Edge	
Cap. ^t John Handy M. ^r Josiah Bealle and	
M. ^r John Bracco	

Who make Choice of the honourable Richard Lee Esq.^r Chairman and Richard Dorsey their Clerk and proceed to make the following Report

Your Committee find by the Office Books that there Remains of the £29990 a Ballance in the Iron Chest of £937..12..5½ unapplied as p the following Account

U. H. J. Liber No. 35 March 10	D. ^r The Iron Chest	
	To Money Yet to be paid his Excellency Horatio Sharpe Esq. ^r in pursuance of an Act of Assembly for his Majestys Service Passed in the Year 1754	800.. 8.. 0
	To Ditto being the Ballance of £400 Granted by Act of Assembly for building a Goal in Frederick County	200 — —
	To Ballance in the Iron Chest unappropriated....	937..12.. 5½
	Cr.	£1938..00.. 5½
	By Ballance now Remaining in the Iron Chest....	£1938..00.. 5½

p. 10 Your Committee likewise find that the Ballance due to the Office on the Sums issued in pursuance of the Several Acts on the Expeditions against Cuba and Canada Amount to £2113..6..7 as p the following Accounts thereof Viz.^t

D.^r The publick for the Act of Raising and issuing Money for Maintaining his Majestys forces to be raised in this Province and for Transporting them to the Place of Rendezvous in the West Indies

To Money paid by the Commissioners to the Several Agents appointed by the said Act.....	3391..14..11
To Ballance Carried to the Credit of the Account with the publick for Raising and Transporting his Majestys Forces for the Canada Expedition	1010..12.. 2¾

C.^r 4402.. 7.. 1¾

By Money paid by Several Sheriffs for Ordinary Licences from the 7 th July 174 to the 6th June 1748	1935..18.. 1¾
By ditto paid by the Naval Officers for the duty on Negroes to the Same time.....	1075.. 9.. 1
By ditto paid by ditto for the duty on Liquors to the same time.....	760..19..11½
	4402.. 7.. 1¾

D.^r The Publick by the Act for Encouragement of Able Bodied Freemen Voluntairly Inlisting in his Majestys Service for the Expedition against Cuba

To Money paid the Agents appointed by the said Act	2357..10.. 0
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U. H. J.
Liber No. 35
March 10

C. ^r	
By Money paid the Agents.....	707..10.. 0
By Money paid by Several Sheriffs in part of the publick assessments	963.. 5.. 6
By Ballance due to the Office on this Account.....	686..14.. 6
	<hr/>
	2357..10.. 0

D.^r The Publick by the Act for Encouragement of Able Bodied Freemen

Voluntarily Inlisting in his Majestys Service for the Expedition against Canada

To Money paid by the Commissioners in pursuance of the abovementioned Act.....	4299..11.. 4
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C. ^r	
By the Ballance arising due to the publick by the Act for Raising & Transporting his Majestys Forces to Cuba.....	1010..12..11 $\frac{3}{4}$
By Money paid by Several Sheriffs to the Com- missioners for Ordinary Licences to 20. th Feb- ruary 1755	
By Money paid by Several Sheriffs to the Com- missioners for Ordinary Licences to 20. th Feb- ruary 1755	2962..13.. 4 $\frac{1}{4}$
Ballance due to the Office on this Account.....	326.. 3.. 9
	<hr/>
	4299..11.. 4

D.^r The Publick by the Act of purchasing Provisions for his Majestys Forces on the Canada Expedition

To Money Paid by the Commissioners to the Sev- eral Agents in pursuance of the Fact.....	1100.. 8.. 4
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C. ^r	
By Ballance due to the Office on this Account.....	1100.. 8.. 4

Your Committee find that the Amount of Bonds at Interest in the Loan Office is £14876..8..5 $\frac{3}{4}$ and also find that the Interest due on the said Bonds to the 20th February Instant Amounts to the Sum of £4135..2..3 $\frac{3}{4}$.

Your Committee find that no Money hath been paid into the Office in discharge of the Ballances Reported in May Session 1748 to be due from the following Sheriffs for Ordinary Licenes and publick Assessments Viz.^t

Edward Trippe	Dorchester County	£110..15..10 $\frac{1}{2}$
Richard Porter	Talbot County	76.. 0.. 6
Benjamin Bradford	Cecil County	29..13.. 1
		<hr/>
		216..17.. 6 $\frac{1}{2}$

U. H. J.
Liber No. 35
March 10
p. 11

Your Committee on Enquiring what the funds bring in yearly for Replacing the Sum of £4000..8..0 Granted by an Act of Assembly Entituled an Act for his Majestys Service in the year 1754 find no Money paid into the Office and Applied in pursuance of the said Act Except £15..12.. by the Clerk of Dorchester County for Pedlars Licences, and such part of the Money Arising for Ordinary Licences which has been paid in pursuance of the af.^d Act is Placed by the Commissioners to the Credit of the Cuba and Canada Expeditions so that your Committee cannot at this Time make any Estimate of what the Several Funds may Annually bring in

Your Committee find that the following Tracts of Land belonging to William Cumming late of Ann Arundel County were Seized by a Fieri Facias towards the discharge of the said Cummings Bonds to the Commissioners and now remain undisposed of Viz.^t

Hazard	60 Acres....	£15..00..0
Hoods Hall	100 Acres....	35..00..0
p. ^t Bens Such.....	25 Acres....	4..01..3
p. ^t Freeborris Progress...	130 Acres....	52..00..0
3 Lotts & houses in Annapolis.....		150..00..0

£256..01..3

All which is Submitted to the Consideration of both houses of Assembly this 10.th March 1755.

Richard Lee
Walter Dulany
M.^r Earle, James Edge
John Henry, John Bracco

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Feb. ^{ry} 1755.
Robert Gordon Esq. ^rAA	Michael Macnemara	£100.	July 18. th 1735..	£78.. 5.. 1 $\frac{3}{4}$
The Same	The Same	50.	April 1. st 1737...	35..14.. 5
The Same	John Ramsay	100.	Febr ^{ry} 28 th 1738..	63..16..10
The Same	Joshua George	100.	April 8 th 1741...	55.. 7.. 3 $\frac{1}{2}$
The Same	William Cumming	74..	March 14 th 1746.	26.. 7.. 5 $\frac{1}{2}$
Col Charles Hammond.....AA	Thomas Homewood	50.	Nov. ^r 20. th 1754.	0.. 8..10 $\frac{1}{2}$
The Same	Benjamin Young Esq. ^rAA	100.	Nov. ^r 20. th 1746.	32..17.. 9
The Same	James Hollyday	100.	July 8. th 1747...	30.. 7.. 4
Daniel Dulany Esq. ^rAA	James Johnson	100.	January 6. th 1744	40.. 3.. 0 $\frac{3}{4}$
Michael Macnemara	Daniel Dulany Esq. ^rAA	70.	Nov. ^r 2. ^d 1752...	6.. 7.. 2 $\frac{1}{4}$
John Ross Esq. ^rAA	Edward Tottrell	100.	June 1. st 1754...	2..15.. 7 $\frac{3}{4}$
Richard Snowden	Samuel Richardson	100.	December 9 th 1749	20..13.. 7
John Brice Esq. ^rAA	Edmund Jennings Esq. ^r	100.	February 16, 1755	0.. 0.. 7 $\frac{3}{4}$
John Murray	William Whittington	16.. 3.. 4.	October 21, 1743.	7.. 6.. 2 $\frac{1}{4}$
James Paul Heath.....Somerset	Michael Coulter	100.	August 2. ^d 1738..	66.. 1..10 $\frac{1}{2}$
The Same	Daniel Dulany Esq. ^rKent	100.	March 3. ^d 1737...	67..15.. 2
Doctor George Thorpe.....AA	Doctor Charles Carroll.....AA	100.	April 8 th 1749...	23.. 7.. 3 $\frac{1}{2}$
Patrick Creagh	Simon Duffy	100.	August 19 1754..	2.. 0.. 1 $\frac{1}{4}$
The Same	Richard Burdus	60.	Aug. ^t 16, 1754...	1.. 4.. 8 $\frac{3}{4}$
William Alexander	James Donaldson	60.	May 13, 1735...	47.. 7.. 9 $\frac{1}{4}$
The Same	Doctor George Steuart.....AA	100.	April 6, 1738....	67.. 7.. 8 $\frac{3}{4}$

U. H. J.
Liber No. 35
March 10

U. H. J.
Liber No. 35
March 10

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Febr. 1755.
Christopher Randall	William Hammond	25..	April 8, 1752....	2..16..10
p. 12 Benjamin Pearce	William Rumsey	50.	May 28 1740....	29.. 8.. 2
The Same	Joshua George	100..	February 16, 1746	31..18.. 5½
Ephraim Gover	Ephraim Gover	50..	Nov ^r 26 th 1754..	0.. 9.. 5
Henry Trippe	Solomon Edmondson	75..	March 26 1738..	50..12.. 7¼
The Same	Levin Gale Esq ^r	80..	June 9, 1739....	50.. 2..11¼
Col Edward Sprigg	John Beall	75..	Aug. ^t 9, 1749....	16..10.. 3
The Same	John Cooke	100..	Sept ^r 15, 1750....	17..12.. 7¾
William Dallam	John Paca	50..	Nov ^r 20, 1754....	0..10.. 1
Thomas Sparrow	Daniel Dulany Esq ^r	100..	Oct. ^r 13, 1741....	53.. 6.. 1
Joshua Dorsey jun. ^r	Greenbury Dorsey Vincent Dorsey & John Hammond Dorsey	83..	Oct. ^r 22, 1748....	20..18.. 5
Henry Bailey	On Mortgage of Lands	50..	April 25 1735....	39..11.. 8½
John Hammond Son of Charles	Rezin Hammond	100..	Nov ^r 16, 1754....	1.. 1.. 0½
The Same	Adam Shipley	50..	June 12, 1747....	15.. 8..11½
David Weemes	Peter Galloway	100..	June 16, 1744....	42..12.. 2
The Same	Thomas Sparrow	75..	July 7, 1744....	31..15.. 8
John Dennis	Richard Burdus	60..	April 16, 1754....	2.. 9.. 0¼
Nathaniel Wickham	John Digges	50..	July 11, 1735....	39.. 3.. 4¼
George Garnett	Joseph Garnett	100..	Nov ^r 27, 1747....	28..16.. 2½
James Keech	Thomas Hungerford	58..	July 3 1747....	17..12..10½

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Feb. ^{ry} 1755.
William Govane	Mordecai Hammond	100.	March 22, 1754. . .	3..13.. 5
The Same	William Cumming	100.	Feb. ^{ry} 27, 1754. . .	3..18.. 5½
The Same	The Same	100.	Sept. ^r 9, 1754. . . .	1..15..11¼
The Same	The Same	100.	March 14 1754. . .	3..15.. 2
The Same	George Page	100.	Sept. ^r 29 1754. . . .	1..11.. 6¾
Benjamin Young Esq. ^r	100.	April 23 1742. . . .	51.. 4.. 0
George Bell	Henry Hall	27..15.. 4.	Nov. ^r 5th 1754. . .	0.. 6.. 6
Bigger Head	John Estop	90.	March 26, 1749. . .	21.. 3.. 1½
Robert Riddle	Edward Sprigg	40.	March 20 1749. . .	9.. 8.. 7
Thomas Clark	Joseph Belt	100.	March 5, 1749. . . .	23.. 1.. 4½
The Same	W. ^m Ghiseline	100.	April 9, 1749. . . .	23.. 7.. 0¾
Basil Bockwith	Thomas Clark	30.	April 12, 1751. . . .	4.. 5..11½
Lawrence Hammond	William Govane	66.	Dec. ^r 11, 1754. . . .	0..10.. 3¼
Richard Harrison	William Rogers	50.	June 9 1736.	37.. 6..10¼
The Same	John Darnall	100.	Sept. ^r 17, 1746. . . .	33..11.. 9½
John Selman	Henry Hall & David Macklefish.	40.	June 30, 1754. . . .	1.. 0.. 7¼
Joseph Chaplin	Edward Sprigg	15.	July 14, 1749. . . .	3.. 6..10¾
Thomas Middleton	Zeph ^a Wade & Tho. ^s Jennings.	50.	Sept. ^r 16, 1736. . . .	36..16.. 0
Thomas Slygh	William Dallam	30.	Oct. ^r 20, 1748. . . .	7..11.. 4½
The Same	William Barney & Edw ^d Talbot.	100.	April 9 1753. . . .	7.. 7.. 0¾
	& Nathan Hughs.			

U. H. J.
Liber No. 35
March 10

U. H. J.
Liber No. 35
March 10

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Feb. ^{ry} 1755.
Thomas John Hammond.....AA	Mordecai Hammond	40..	Sept ^r 6, 1749....	8.. 13.. 8
Jonathan SealeS. ^t Marys	Ja. ^s Swan & Tho. ^s Hopewell. S. ^t Marys	30..	Oct. ^r 20, 1736...	21.. 19.. 4½
John MeekingsDorc. ^r	Thomas Brannock	25..	Oct. ^r 23, 1738...	16.. 5.. 11½
Francis CrandallAA	James Deale	20..	March 25, 1747..	6.. 6.. 0¼
Thomas AddisonPG	William Wilkins	50..	March 19, 1736..	35.. 4.. 10½
Basil WarringPG	Philip Digges	100..	March 22, 1736..	71.. 11.. 0
Thomas MiddletonCharles	Jn ^o Courts & W. ^m Middleton....Cha. ^s	100..	May 5, 1739....	63.. 1.. 4½
John YoeCalvert	James Jn ^o Mackall.....Calv. ^t	100..	June 2 ^d 1750....	18.. 15.. 2¾
Allen DavisCharles	Jonathan Davis	75..	May 12 1749....	17.. 4.. 10¼
Charles RidgeleyBaltimore	Thomas Sheredin	30..	May 13 1746....	10.. 9.. 7½
William HarrisonS. ^t Marys	Peter Mugg & Ja. ^s Waughop	100..	May 12, 1751...	14.. 19.. 10
Peter GallowayAA	Samuel Chew	100..	June 16, 1743...	46.. 12.. 2
John HepburnPG	Thomas Sprigg	100..	July 27, 1746...	34.. 3.. 2
The Same	Ignatius Digges	56..	May 9, 1744....	24.. 1.. 10½
The Same	John Cooke	30.. 6..	Oct. ^r 28, 1747...	8.. 16.. 8¼
The Same	James Wardrop	100..	May 26 1749....	26.. 16.. 9¼
The Same	John Darnall Esq. ^r	20..	Oct. ^r 2 ^d 1751....	2.. 13.. 8¼
James DickAA	James Wardrop	100..	Nov. ^r 1 1754....	1.. 4.. 4
George SteuartAnnapolis	William Alexander	100..	April 6, 1743...	47.. 7.. 8¾
The Same	Daniel Dulany Esq. ^r	100..	Jan. ^y 26, 1744...	40.. 3.. 0¼
The Same	William Steuart	100..	Oct ^r 18 1752....	9.. 7.. 4¾

U. H. J.
Liber No. 35
March 10

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Feb. ^{ry} 1755.
George Steuart	Peter Buchanan	100.	Nov. ^r 22 ^d 1753.	4..19.. 8 $\frac{3}{4}$
William Chapman	William Chapman jun.	80..11..	Nov. ^r 20, 1751.	10.. 7.. 5 $\frac{1}{4}$
Joseph Carman	Nath. ^l Hynson & Philip Kennard.	100.	Aug. ^t 12 1754.	2.. 2.. 1
Joshua George	Thomas Johnson	50..	Aug. ^t 17, 1737.	34..19.. 3 $\frac{1}{2}$
Alexander Rind	30..	Dec. ^r 9, 1737.	20..12.. 0 $\frac{3}{4}$
Joseph Barrett	Mortgage of Lands.	20..	Feb. ^{ry} 5, 1737.	13..11.. 8 $\frac{3}{4}$
John Addison	Thomas Addison	100.	March 3 ^d 1737.	67..15.. 2
The Same	Anthony Addison	100.	July 3 ^d 1748.	26.. 6.. 3
Elihu Hall	Vachel Denton	30..	April 6 1738.	24.. 4.. 3 $\frac{3}{4}$
Edward Mattingly	Jn ^o Gardiner & Philip Key.	50..	April 11, 1739.	31..13.. 3 $\frac{3}{4}$
Samuel Smith	William Hood	35..	April 23 1738.	23..10.. 3
Charles Sewall	Clement Sewall	70..	May 24 1740.	41.. 4.. 0 $\frac{1}{2}$
Robert Brashear	Sam ^l Brashear & Edw ^d Sprigg.	100.	April 11, 1739.	63.. 6.. 7 $\frac{1}{2}$
Jonas Green	Daniel Dulany Esq. ^r	60..	May 24, 1739.	37..14.. 4
The Same	Edm ^d Jennings & Geo: Plater Esq. ^{rs}	54.. 8..	Sept ^r 20, 1743.	24..15..11 $\frac{1}{2}$
John Beall	Edward Sprigg	100.	June 13 1749.	22..12.. 9 $\frac{3}{4}$
James Smith	James Edmondson	60..	July 12 1741.	32..11..10 $\frac{1}{4}$
Gilbert Ireland	Peter Mugg	100.	Aug. ^t 9 1749.	22.. 0.. 4
William Murray	William Timbrell	100.	Aug. ^t 15 1754.	2.. 1.. 5
William Timbrell	William Murray	100.	Aug. ^t 15 1754.	2.. 1.. 5
Walter Tolley	Jn ^o Starkey & Joshua Starkey.	50..	July 22 1754.	1.. 3.. 4 $\frac{1}{2}$

U. H. J.
Liber No. 35
March 10

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Feb.ry 1755.
John Carslake	Thomas Bruff	20..	Aug. ^t 22 1739...	12.. 7.. 6
Captain Thomas Sheredine.....	Rich ^d Caswell & Jos Hall.....	60..	June 12 1739....	37..11..10
Nathaniel Rumney	Edward Rumney	40..	July 4, 1748.....	10..11.. 3½
Thomas Jennings	Thomas Lusby	50..	Aug. ^t 22. ^d 1739..	30..18.. 8¼
The Same	Darby Lux	29..11.. 6.	Mar 11, 1746....	9.. 7.. 3¼
Littleton Townshend	Mortgage of Lands.....	80..	Oct. ^r 26, 1739....	48..18.. 7
John Cooke	Kenelm Greenfield Jowles.....	60..	Mar 5 1740.....	33.. 8..10¼
The Same	Thomas Lee	100..	Sept ^r 12 1751....	13..12..10½
The Same	John Hepburn Esq. ^r	100..	Oct. ^r 28, 1747....	29.. 2.. 9½
Jonathan Rawlings	AAaron Rawlings	10..	Aug. ^t 27, 1749....	2.. 3.. 7¼
Heber Whittington	John Stunfall	100..	Sept ^r 2 1740.....	57..15.. 0¼
Charles Carroll Esq. ^r	Charles Hammond	100..	Sept ^r 18 1740....	57..11.. 6¼
Samuel Galloway	Thomas Norris	100..	Dec. ^r 8, 1748....	24..15.. 4¼
Thomas Baldwin	Darby Lux	80..	April 16, 1741....	44.. 4.. 5
Nicholas Watkins	Isaac Jones	75..	May 6, 1751.....	11.. 5..10½
Charles Hynson jun. ^r	Nathaniel Hynson	100..	June 12, 1741....	54..13.. 0½
Thomas Franklin	Richard Geist	100..	June 11, 1750....	18..13.. 3¼
Alexander Lawson	Charles Carroll Esq. ^r	100..	May 22, 1747....	30..18.. 6¼
Ignatius Digges	Charles Grahame	100..	Sept ^r 11 1754....	1..15.. 6
Joseph Bell jun. ^r	Ignatius Digges	100..	March 15, 1742....	47..12.. 6½
The Rev. Thomas Lake.....	William Reynolds	75..	April 25, 1754....	2..11.. 1½

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Feb. ^{ry} 1755.
Osborn Sprigg	PG	100..	Nov ^r 18 1745....	36..18.. 2 $\frac{1}{2}$
John Currar	Cecil	100..	July 27, 1754....	2.. 8.. 7 $\frac{3}{4}$
Thomas Chittam	PG	100..	Aug. ^t 24, 1744....	41..18.. 9 $\frac{1}{2}$
Nathaniel Whitaker	AA	26..	April 11, 1745....	10.. 4.. 6 $\frac{1}{4}$
John Gassaway	AA	100..	Jan ^y 2 1754....	4..10.. 8 $\frac{3}{4}$
Benjamin Harris	Calvert	50..	March 14, 1743..	21..16.. 6
George Page	AA	25..	March 21, 1749..	4..17.. 9 $\frac{1}{2}$
The Same	The Same	100..	Sept ^r 29, 1752....	9..11.. 6 $\frac{3}{4}$
John Darnall Esq. ^r	AA	85..10.. 0.	May 10, 1746....	36..15.. 6 $\frac{1}{4}$
The Same	Richard Harrison	100..	Sept ^r 17, 1746....	33.. 4.. 9 $\frac{1}{4}$
James Elder	AA	10..	July 18, 1754....	0.. 4.. 9
Alexander Elder	AA	20..	July 18, 1754....	0.. 9.. 6
The Same	James Elder	20..	Mar 27, 1754....	0..15.. 0 $\frac{3}{4}$
Samuel Tyler	PG	80..	Aug. ^t 15, 1745....	30.. 7.. 2 $\frac{1}{2}$
George Beall	PG	100..	Aug. ^t 22 ^d 1749..	21..18.. 4 $\frac{1}{4}$
The Rev ^d Samuel Edgar.	AA	60..	Aug. ^t 29 1744....	25.. 3..11 $\frac{1}{2}$
John Baldwin	Cecil	100..	Sept. ^r 18 1754....	1..13..11
John Thompson	Cecil	93..10..	Sept ^r 18, 1749....	20.. 3.. 6
John Martin	Worcester	75..	Sept ^r 18 1749....	16.. 3.. 8
Benjamin Wright	AA	25..	Oct ^r 10 1745....	9.. 6.. 8 $\frac{1}{4}$
Thomas Richardson	AA	50..	Nov ^r 15 1754....	0..10.. 7 $\frac{1}{2}$

U. H. J.
Liber No. 35
March 10

U. H. J.
Liber No. 35
March 10

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Feb. ^{ry} 1755.
James Johnson	AA	100..	Jan. ^y 26, 1744...	40.. 3.. 0 $\frac{3}{4}$
Robert Swan	AA	100..	Jan. ^y 26, 1744...	40.. 3.. 0 $\frac{3}{4}$
The Same	PG	25..	Jan. ^y 8 1745.....	9.. 1.. 9
The Same	AA	100..	Nov. ^r 9, 1752.....	9.. 4.. 2
John Lamb	PG	20..	Feb. 6, 1751.....	2.. 8.. 1 $\frac{1}{2}$
James Wardrop	AA	100..	Nov. ^r 1, 1754.....	1.. 4.. 4
The Same	AA	100..	Jan. ^y 8 1745.....	36.. 7.. 0
The Same	AA	100..	Nov. ^r 9, 1752.....	9.. 2.. 6
D. ^r Alexander Hamilton	AA	100..	May 22 1749.....	22.. 17.. 7 $\frac{3}{4}$
The Same	AA	50..	July 4 1750.....	9.. 3.. 6 $\frac{3}{4}$
Charles Cole	Annapolis	62.. 10..	July 10, 1745.....	23.. 19.. 3 $\frac{3}{4}$
John Johnson	Calvert	100..	Oct. ^r 16, 1745.....	37.. 5.. 5
Greenberry Dorsey	Bal. ^t	60..	Nov. ^r 27, 1747...	17.. 5.. 8 $\frac{3}{4}$
The Rev ^d W ^m Brogden	PG	100..	Dec. ^r 4, 1750.....	16.. 14.. 8 $\frac{1}{4}$
Samuel Fowler	Worc. ^r	25..	Feb. ^y 5, 1745.....	10.. 0.. 0 $\frac{1}{4}$
John Scarborough	Worc. ^r	9.. 10..	May 18, 1754.....	0.. 5.. 9 $\frac{1}{4}$
Richard Gresham	Kent	100..	April 17, 1746...	35.. 5.. 3 $\frac{3}{4}$
John Howard	AA	54..	Aug. ^t 15, 1746...	18.. 6.. 8
Mary Henderson	AA	32..	July 30 1754.....	0.. 14.. 4 $\frac{1}{2}$
Samuel Harrison	Calv. ^t	15..	Sept ^r 17, 1746...	5.. 0.. 9 $\frac{1}{4}$
John Mackey	Cecil	74..	Oct. ^r 1, 1746.....	24.. 14.. 10

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Feb. ^{ry} 1755.
John Mackey	Cecil	74..	Oct. ^r 1, 1746....	24..14..10
Benjamin Welch	John Welch & Thomas Welch	100..	Oct. ^r 22 1746....	33.. 4.. 1 $\frac{1}{4}$
Mary Hammond	William Cumming	40..	Feb: 9 1748....	11.. 4.. 0
Thomas Snowden	Richard Snowden	27.. 18..	Jan ^y 21, 1746....	8..19.. 8 $\frac{1}{2}$
William Pearce	Benjamin Pearce	32..	Feb: 19, 1746....	10.. 4.. 1
Joseph Hall	Samuel Harrison	66..	March 11 1746..	20..17.. 0 $\frac{1}{2}$
George Asquith	Joseph Hopewell	76.. 10..	Ap. ^r 29, 1747....	23..16.. 4 $\frac{3}{4}$
Walter Smith jun ^r	Walter Smith	50..	June 6, 1754....	1.. 8.. 4 $\frac{3}{4}$
Jacob Franklin	John Galloway	52..	June 17, 1754....	1.. 8.. 2 $\frac{1}{2}$
Thomas Hungerford	James Keech	50..	July 3 1747....	15.. 4.. 2 $\frac{1}{2}$
James Beck	Turner Wootton PG Henry Hall	70..	Nov ^r 12, 1746....	23.. 2.. 6 $\frac{3}{4}$
Benjamin Venables	W. ^m Venables	100..	Oct. ^r 26, 1747....	29.. 3.. 2 $\frac{3}{4}$
William Venables	Benjamin Venables	17.. 12..	Oct. ^r 26, 1747....	5.. 2.. 7 $\frac{3}{4}$
The Same	Col George Dashiell	48.. 1.. 9.	May 21, 1748....	12..17.. 7
Joseph Garnett	George Garnett	41..	Nov ^r 27, 1747....	11..16.. 3
The Rev ^d John Gordon	Alexander Hamilton	100..	Feb: 5, 1748....	24.. 0..10 $\frac{1}{2}$
Samuel Howard	Thomas Jennings	54..19.. 3.	Feb: 24, 1747....	15.. 5..11 $\frac{1}{2}$
Anthony Addison	John Addison	100..	July 13, 1748....	26.. 6.. 5 $\frac{1}{2}$
Doctor Richard Tootle	Hellin Tootle	25..	Jan ^y 2, 1754....	1.. 2.. 8 $\frac{1}{4}$
The Rev ^d Walter Chalmers	John Campbell	30..	Sept. ^r 8, 1749....	6..10.. 1 $\frac{1}{2}$
The Same	W. ^m Govane Bal. ^t Geo: Page	100..	Dec ^r 20 1752....	8..13.. 7

U. H. J.
Liber No. 35
March 10

U. H. J.
Liber No. 35
March 10

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Febr. 1755.
John Williams	Richard Waters	100..	Oct. ^r 24, 1750...	17..13.. 8
Richard Waters	John Williams	10.. 2.. 0.	Oct. ^r 24, 1750...	1..14.. 8½
Abel Hill jun ^r	Charles Drury	60..	Ap. ^r 26, 1754...	1..19.. 5½
Turner Wootton	Henry Wright Crabb.	100..	Dec. ^r 14 1754...	0..14.. 11
John Philips	Thomas King	10..	Nov. ^r 16 1751...	1.. 5..10½
John Selby	John Purnell	80..	June 18 1754...	1..12.. 5½
Sidney George	Michael Earle	100..	June 22 ^d 1754...	2..13.. 3½
Eliz. ^a Carter	James Hutchings	70..	July 15, 1754...	1..13.. 9
William Reynolds	W. ^m Roberts & Sam. ^l Sowmaein.	60..	July 12, 1752...	6.. 2.. 6½
Thomas Ringgold	George Steuart Esq. ^r	56..	Sept. ^r 21, 1754...	0..18.. 7½
Stephen West	William Potts	100..	Nov. ^r 9, 1754...	0..15.. 9½
William Potts	Stephen West	100..	Nov. ^r 9, 1754...	0..15.. 9½
William Barney	Edw. ^d Talbot Tho. ^s Hughs	22..12.. 0.	Ap. ^r 9, 1753...	0..14.. 3½
Thomas Flemming	Nathan Hughs	36..	Dec. ^r 20, 1752...	3.. 2.. 6
Stephen Glanville	W. ^m Govane Bal. ^t Geo. Page.	60..	June 13 1753...	1..13.. 1½
Susannah Jobson	Samuel Budd	15..	Oct. ^r 9, 1753...	0..16.. 5
Robert Gordon Jun ^r	Beale Bordley	25..	Oct. ^r 10 1753...	1.. 7.. 3½
John Campbell	John Stoddart	100..	Nov. ^r 2 ^d 1753...	5.. 4.. 1½
Joseph Lusby	Simon Duff	42..	Febr. ^y 20 1754...	1..13.. 7½
William Rumsey	Anthony Drew	100..	May 29 1754...	2..18.. 6½
	Nicholas Hyland			

U. H. J.
Liber No. 35
March 10

Principals Names.	Securities Names	Principal Sums due on Bonds & Mortgages	Commencement of the Interest.	Interest due to the 20 Feb. ^{ry} 1755.
Nicholas Hyland	Cecil	23..	May 29, 1754.....	0..13.. 4½
Ann Beale	AA Beale Nicholson	34..	July 2 ^d 1754.....	0..17.. 4½
Benjamin Howard	AA William Hood	24..17.. ..	Oct. ^r 2 ^d 1754.....	0.. 7.. 5
Jeremiah Berry	PG John Berry	60..	Feb: 19, 1755....	0.. 0.. 1½
Lawrence Hammond	AA William Govane	83..	Feb: 20, 1755....
William Cumming	AA Robert Gorden Esq. ^r	48..12.. 1¼	Sept. ^r 10, 1751...	6..12..10
		£14876.. 8.. 5¾		£4135.. 2.. 3¾

U. H. J.
Liber No. 35
March 10

Adjourned till to Morrow Morning ten of the Clock

March 11

Tuesday Morning 11 March 1755

This house met again according to Adjournment

Present as Yesterday with the Addition of Col. Hammond &
William Goldsborough Esq.^r

p. 16 A Bill from the Lower house by Mess.^{rs} Govane & Edmonson
Entituled an Act for the Continuance of Process in Baltimore County
Court thus Endorsed

By the Lower house of Assembly 10 March 1755
Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara C^t Lo H.^o

By the Lower house of Assembly 11 March 1755
Read the Second time and will pass

Signed p Order M Macnemara C^t Lo H.^o

Read the first Time in this house and Ordered to lye on the Table
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time by an Especial Order the Bill Entituled an
Act for the Continuance of Process in Baltimore County Court
and will Pass Sent to the Lower house by Col Tasker

Adjourned till to Morrow Morning ten of the Clock

March 12

Wednesday Morning 12 March 1755

This house met again according to Adjournment

Present as Yesterday

An Engrossed Bill from the Lower house by Mess.^{rs} Tilghman &
Buchanan Entituled an Act for the Continuance of Process in Balti-
more County Court thus Subscribed

Read and Assented by the Lower house of Assembly 12 March 1755

Signed p Order M Macnemara C^t Lo H.^o

Read and assented by this house and Ordered to be so Subscribed

A Bill from the Lower house by Mess.^{rs} Henry & Dennis Entituled
an Act for regulating the Rates of Carriage and Quartering Soldiers
in publick houses within this Province for his Majestys Service thus
Endorssed

By the Lower house of Assembly 11 March 1755
Read the first Time and Ordered to lye on the Table
Signed p Order M Macnemara Ct Lo H.º

U. H. J.
Liber No. 35
March 12

By the Lower house of Assembly 12 March 1755.
Read the Second time and will pass.
Signed p Order M Macnemara Ct Lo H.º

Read the first time in this house and Ordered to lye on the Table
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Co† Edward Lloyd

Read the Petition of George Parker of Charles County Gentleman
praying an Act of Assembly may pass to aid the defective Entry
of the Deputy Clerk of Prince Georges County in Recording a Deed
between John Wheeler of Prince Georges County and William
Hutchison for a Tract of Land called Wheelers Adventure, Referred p. 17
to the Consideration of the Lower house of Assembly and Sent by
Co† Hammond.

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 13 March 1755

March 13

This house met again according to Adjournment

Present as Yesterday Except Co† Hammond
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present in the Morning

A Bill from the Lower house by Mess.^{rs} Stoddart and Hawkins
Ent.^d An Act to aid the defective Entry of the late Clerk of Prince
Georges County in the Recording of a Deed of Bargain and Sale
from John Wheeler to William Hutchison thus Endorssed

By the Lower house of Assembly 13 March 1755.
Read the first and Second time by an Especial Order and will pass
Signed p Order M Macnemara Ct Lo Ho

Read the first time in this house and Ordered to lye on the Table
Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
March 14

Friday Morning 14 March 1755.

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess.^{rs} Hall and Beall Entituled an Act to impower and direct the Clerk of Baltimore County Court to Record among the said County Records a Deed of Bargain and Sale from Isaac Johns deceased to Robert Adair thus Endorsed

By the Lower house of Assembly 14 March 1755.

Read the first and Second time by an Especial Order and will pass

Signed p Order M Macnemara Ct Lo H.^o

Read the first and Second time in this house by an Especial Order and will pass Read the Second time the Bill Entituled an Act to aid a defective Entry of the late Deputy Clerk of Prince Georges County in Recording a Deed of Bargain & Sale from John Wheeler to William Hutchison & will pass Sent to the Lower house by Richard Lee Esq.

A Message from the Lower house by Mess.^{rs} Tilghman and Sprigg with the Bill Entituled an Act for Raising a Supply towards his Majestys Service

By the Lower house of Assembly 14 March 1755

May it please Your honours [then follows the long message from the Lower House printed in full on pages 77-80].

p. 20 Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

March 15

Saturday Morning 15th March 1755.

This house met again according to Adjournment

Present as Yesterday

An Engrossed Bill from the Lower house by Mess.^{rs} Mills and Baker Entituled an Act to impower and direct the Clerk of Baltimore County Court to Record among the said County Records a Deed of Bargain and Sale from Isaac Johns Deceased to Robert Adair thus Subscribed

15 March 1755.

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.^o

Read and assented to by this house and Ordered to be so Subscribed.

U. H. J.
Liber No. 35
March 15

An Engrossed Bill from the Lower house by Mess.^{rs} Smalwood and Stoddart Entituled an Act to Aid a defective Entry of the late Deputy Clerk of Prince Georges County in the Recording of a Deed of Bargain and Sale from John Wheeler to William Hutchison thus Subscribed

15 March 1755.

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.^o

Read and assented to by this house and Ordered to be so Subscribed
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess.^{rs} Bordley and Edmondson Entituled an Act for preventing the Importation of German and French Papists and Popish Priests and Jesuits into this Province and of Irish Papists by way of Pensilvania of the Government of Newcastle Kent and Sussex on Delaware thus Endorsed

By the Lower house of Assembly 14 March 1755.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo Ho

By the Lower house of Assembly 15 March 1755

Read the Second Time and will Pass

Signed p Order M Macnemara Ct Lo H.^o

p. 21

Read the first time in this house and Ordered to lye on the Table

A Bill from the Lower house by Mess.^{rs} Tilghman and Earle Entituled an Act to prevent the People of this Province from Supplying the French or their Indian Allies with Ammunition warlike Stores or Provisions of any kind thus Endorssed.

By the Lower house of Assembly 15 March 1755

Read the first and Second time by an Especial Order and will pass

Signed p Order M Macnemara Ct Lo Ho

Read the first time in this house and Ordered to lye on the Table
Adjourned till Monday Morning ten of the Clock

U. H. J.
Liber No. 35
March 17

Monday Morning 17 March 1755.

This house met again according to Adjournment

Present

The Honourable	{	Benjamin Tasker Esq. ^r	{	Col ^t Edward Lloyd
		Col ^t George Plater		Benedict Calvert Esq. ^r
		Col ^t Charles Hammond		William Goldsborough Esq. ^r

Read the Second Time the Bill Entituled an Act to prevent the People of this Province from Supplying the French or their Indian Allies with Ammunition Warlike Stores or Provisions of any kind and will pass with the following Amendm.^{ts} in the 1st & 2^d Line of the 1.st page leave out the words, more avaritious & varacious after unjust gain than affectionate to the Interest of their Country in Supplying, and insert the words, do Supply, in the 3^d Line leave out the words, out of this Province, and After the words, the Same, in the 8th Line to the word, appointed, in the 18th Line of the Same Page to be left out and the following inserted, That from and after the End of this Session of Assembly for and during the Continuance of this Act it shall not be Lawful for any Person or Persons whatsoever within this Province to Export in any Ship or Vessel out of this Province any ammunition Warlike Stores or Provisions of any kind or Denomination whatsoever except for the Necessary Use of Such Ship or Vessel without first entering into Bond to the Naval Officer of the Port where he or they shall Clear out such Ship or Vessel with good and Sufficient Security unto the Right honourable the Lord Proprietary of this Province in the Sum of five hundred pounds Sterling Money of Great Britain with Condition to the Same annexed that he or they shall and will Land and deliver and unload the said Ammunition Warlike Stores and Provisions at some Port or Place within his Majestys Dominions and produce a Certificate thereof to the Naval Officer taking such Bond within Twelve Months after such Exportation which said Naval Officer is hereby Authorized and required to take before he Clears out the said Ship or Vessel from the Chief Officer of the Customs of such Port or if it shall be at a Port where there is no officer of the Customs, these from the Chief Magistrate that all such ammunition Warlike Stores & Provisions have been Landed accordingly and in Case any Person or Persons shall presume Contrary to the Tenor of this Act to Carry or Transport or Cause to be Carried and Transported in any Ship or Vessel out of this Province any such Ammunition Warlike Stores or Provisions of any kind or Denomination whatsoever without giving such Bond as by this Act is required such Person or Persons shall forfeit the full Value of such Ammunition Warlike Stores & Provisions of what Denomination soever

the same be as also the Ship or Vessel Transporting or Carrying the same with her Sails Rigging Anchors Cables Guns Boats and all other Materials to her belonging to the Right honourable the Lord Proprietary for the uses and purposes in this Act herein before directed and appointed, Sent to the Lower house by Col Plater

U. H. J.
Liber No. 35
March 17

Read the Petition of Jonas Green Executor of Thomas Sparrow Setting forth that his Testator Thomas Sparrow having a large Debt due to him from the publick in the Journal of Accounts more than Sufficient to Satisfie the Claims against him and he also being Indebted to the publick by Bond in the Paper Office which Bond he the said Jonas Green is fearful may be put in Suit he therefore prayed Relief Referred to the Consideration of the Lower house & Sent by Col Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning Ten of the Clock

Tuesday Morning 18 March 1755.

March 18

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 19 March 1755.

March 19

This house met again according to Adjournment

Present as Yesterday.

The following Message is Sent to the Lower house by Col. Lloyd with the Bill Entituled an Act for Raising a Supply towards his Majestys Service

By the Upper house of Assembly 19 March 1755.

Gentlemen

We have very Maturely considered Your Bill for Raising a Supply towards his Majestys Service and the Reasons offered to us

U. H. J.
Liber No. 35
March 19

p. 23

in your Message of the 14.th Instant to enforce it which are not Sufficient to convince us of the Propriety of it nor a Satisfactory Answer to our Message already Sent down to your House Containing our Reasons for not Passing that Bill, and therefore do now return that Bill to you again with a Negative but as We are desirous that our Conduct in Refusing that Bill should be justified We beg leave to make an observation or two upon the Subject Matter of it, and hope that if We can Convince you of the Impropriety of it in its present form you will fall upon Some other unexceptionable Plan for the Raising a Supply towards this great & Important Service. The Bills Signed and never yet circulated must be allowed to be of no Value at present, neither can they be uttered to the Publick with any Beneficial Effect untill Some Act of the Legislature of this Province shall give them a Sanction on this being premised We expect you will shew how far this Bill in its present Form will have that Effect. We Conceive as the Paper Currency Act made Current 90000 pounds and expressly Intends and designs that two thirds only of that Sum shall be Received and pass Current from and after the 29th September 1748, and as £55984..14..0 have been already rendered out of the paper office within the Six Months Limited and prescribed by the Act for that purpose, and as it is well known that there is a large Sum of the old Money now in Circulation We may Rationally conclude that the whole or very near the whole 60000 pounds is now Circulating. This being the Case those Paper Bills which you call Current Money Amounting to the Sum of £4015:6:0 appear to us to be of no real Value as must be evident to every Person who considers the Paper Currency Act Since by that Act no more Paper Money can now be in Circulation than the said 60000 pounds from these Observations Gentlemen We presume it is evident that the bare giving Authority to the Commissioners or Trustees of the Loan Office to deliver out of that office the Sum of £4015:6:0 in Bills of Credit now Signed in the office and not yet Circulated cannot give them such a Sanction as to make them Current for the Sum therein respectively mentioned that Sum being a New Emission to all Intents and Purposes and over and above the Sum Intended to be at this time in Circulation by the Paper Currency Act and therefore cannot Receive credit by that Act, This Gentlemen (had we no other) is a Material Objection to our passing this Bill in its present form, and we are persuaded you will think us justified in sending it down to you with a Negative, If this part of your Bill was Compleat so as to Answer the End designed by it, Yet we must observe that its being a new Emission is must Necessarily have Some Influence upon the Value of our present Currency (not to mention the Breach of that Publick faith which it is the Indispensable duty of the Several Branches of the Legislature to preserve Saved and inviolate and not to Infringe it but upon the

U. H. J.
Liber No. 35
March 19

greatest Extremity for it cannot be denied that the Emission of a larger Sum as of 20 or 30 thousand pounds of new Money would greatly depreciate the Value of the Money now Current among us, therefore the Emission of the Sum proposed by your Bill to be emitted must depreciate it in a degree Proportionate to the Sum be the duration or Continuance of it as it may It is true the shorter time the new Emission is to be in Circulation the less is the Evil to the publick, but we look upon it to be our duty to Guard against and prevent as much as in us lies any the least Evil whatsoever to the Community as We cannot Pass this Bill upon the present Plan We hope a Bill may be Framed upon such a foundation as may Justify our giving that aid which is incumbent on us to do to every Matter which is a real Advantage to our Country and to the true Interest of our Noble and worthy Lord Proprietor which the duty of our Station as well calls us to Support as the Valuable privileges which all of us enjoy under his just and Mild Administration and here we must observe that in this Bill now Returned to you there is a Clause which Strikes at my Lords Prerogative, that is the Attempt to appropriate the Fines Arising from the Ordinary Licences, It is true his Lordships Ancestors have been so good as to give this Benefit to his Tenants, and We hope if the Occasion made it absolutely requisite and a necessary Supply could not be raised without it, our present Lord Proprietor would not be less generous, but We again Say that if the Lord Proprietor could be prevailed upon to part with his Prerogative in this Instance We Conceive that the Ordinary License Fund is too far Mortgaged already to be laid under any further Burthen so as to Answer the purpose Intended by this Bill by the Time of Sinking the Residue of the Paper Money, We therefore flatter ourselves Gentlemen with hopes that the same just principals that will govern your deliberations in regard to the Interests and privileges of your Constituents will urge you as Strenuously to Support the Dignity of the Lord Proprietary by allowing all his Prerogatives. Other Material and weighty Objections do lie against Some other parts of your Bill, but we do not offer them now being willing to Save as much Expence as Possible to our Country by bringing this Session to as Speedy a Conclusion as may be and as we looke upon the present Time to be so Critical, as to call in the most pressing manner for a Supply of Money towards the Support of the Common Cause so We hope you will form a Bill upon such a Plan as cannot be objected to, & give us an opportunity of Concurring with you in testifying our Sincere & unfeigned duty and Affection to the best of Kings and his Government by contributing every thing in our Power towards the raising a Necessary Supply for that great & important Service

Signed p Order John Ross Cl Up H.^o

Adjourned till three of the Clock in the Afternoon

U. H. J.
Liber No. 35
March 19

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

March 20

Thursday Morning 20 March 1755

This house met again according to Adjournment

Present as Yesterday

Read the Second time the Bill Entituled an Act for preventing the Importation of German and French Papists and Popish Priests and Jesuits into this Province and of Irish Papists by way of Pensilvania or the Government of Newcastle Kent and Sussex on Delaware and will Pass with the following Amendments In the 17th Line of the first Page instead of five pounds put fifty Shillings in 18.th Line put fifty pounds, instead of two hundred in 19th Line put Ten pounds instead of Twenty pounds, in Twenty Line instead of four put one in 21.st Line instead of the words, one half, put, one third, in the last line of the same Page instead of the words, and the other half thereof, put, the third to the Right honourable the Lord Proprietary of this Province for the Support of Government, and one third, leave out after the word, Allowed, in the 3^d Line of the Second Page to the word, aforesaid, in the 16.th Line of the Same Page, and insert the following And be it further Enacted by the Authority af.^d that the Governor or Commander in Chief for the time being shall and is hereby Authorized to Nominate and appoint some fit Person who understands the German or French Languages to Serve as a Clerk to the said Naval Officer and who shall and is hereby Required to attend the Office of the said Naval Officer at the time of the Entry of any Ship or Vessel having German or French Passangers on Board and shall in the presence of the said Naval Officer or his Deputy Administer the Several Oaths to the Government to each Passanger or Servant Imported as af.^d and Cause them and each of them to Signe the Test and Oath of Abjuration to be kept by him for that Purpose except Children under the Age of 14 Years to be Adjudged at the discretion of the same Naval Officer and the Same Clerk shall and he is hereby required before he takes upon him the Execution of the said Office to go before Some

p. 25 Provincial or County Magistrate and take the Several Oaths to the Government, Subscribe the Test and Oath of Abjuration, and take an oath well and truly to Administer the Several Oaths to the Government to the Several German or French Passengers or Servants Imported at the Port and City of Annapolis and Cause them to Sign

the Oath of Abjuration and the Test in the Presence of the Naval Officer or his Deputy of the same Port/except as before Excepted/ and that the Same Clerk shall have and Receive for his so doing the Sum of Twenty pounds Current Money p Annum to be paid by the Treasurer of the Western Shoar for the time being out of the Money he shall Receive for the Use of this Province which said Treasurer is hereby Authorized and required to Pay the same upon the Order of the Governor or Commander in Chief for the time being, in 5.th Line of the 3^d Page instead of, Five pounds, put, Two pounds, Ten Shillings, and in the same Line put, fifty pounds instead of two hundred pounds, in the 9th Line of the same Page instead of Four hundred, put, One hundred, in the 13.th Line of the same Page, put Ten, instead of fifty, in the 14th Line put, One, instead of, four, in the 18.th Line put three hundred, instead of five hundred, Instead of the words, to the Sole use & Benefit of the Informer, or him, her, or them, that will Sue for the same being a Protestant or Protestants, in the 19th and 20th Lines Put, to be applied in the same manner as is herein before directed, in the 13th Line of the 4th Page, instead of Ten, put, five, in the fourth Line of 5.th Page instead of, Twenty, put, Ten. After the word Act in the last Line but two of the last Page insert the following Proviso & Clause instead of the Remaining Part of the Bill. Provided Always that if any Importer of any such German or French Papist, Layman, Popish Priest or Jesuit shall desire to Export them or any of them within three Months from the Time of their Entry and make Report thereof to the said Naval Officer and shall Export all or any of the same German or French Papists Layman Popish Priests or Jesuits by him Imported as af.^d it shall and may be Lawful for every Naval Officer to Repay the same duty to the same Importer for such German or French Papists Layman Popish Priests or Jesuits, so as af.^d by them received in proportion to the Number of them that shall be so Exported

U. H. J.
Liber No. 35
March 20

This Act not to take Place untill his Lordships Pleasure be known.
Sent to the Lower house by Benedict Calvert Esq.^r

Adjourned till three of the clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled an Act for regulating the Rates of Carriage and Quartering Soldiers in Public houses within this Province for his Majestys Service and will pass with the following amendments in the 11 Line of the first Page after the word, Expedition, Leave out, to the Westward or Northward of this Province, after the word, Forces in the 14th Line leave out to

U. H. J. any Part or Place within Province, after the word, aforesaid, in
 Liber No. 35 16 Line insert while they shall Continue in this Province Sent to
 March 20 the Lower house by Col Plater

Adjourned till to Morrow Morning ten of the Clock

March 21 Friday Morning 21.st March 1755.

This house met again according to Adjournment

Present as Yesterday

p. 26 A Message from the Lower house by M.^r Robert Lloyd & others
 with the Bill Entituled an Act for his Majestys Service

By the Lower house of Assembly 21th March 1755

May it Please your Honor's [then follows the lengthy message from
 the Lower House printed on pages 94-6.]

p. 28 Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower house by Mess.^{rs} Murdock &
 Hawkins Entituled an Act for regulating the Rates of Carriage
 and Quartering Soldiers in publick Houses within this Province
 for his Majestys Service thus Subscribed

21 March 1755

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo Ho

Read and assented to by this house and Ordered to be so Sub-
 scribed

Adjourned till to Morrow Morning ten of the Clock

March 22 Saturday Morning 22^d March 1755

This house met again according to Adjournment

Present as Yesterday

An Engrossed Bill from the Lower House by Mess.^{rs} Williamson
 & Govane Entituled an Act to prevent the People of this Province
 from Supplying the French or their Indian Allies with ammunition
 Warlike Stores or Provisions of any kind thus Subscribed

22 March 1755

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.^o

Read and assented to by this house and Ordered to be so Subscribed

U. H. J.
Liber No. 35
March 22

Read the second time the Bill Entituled an Additional Supplementary Act to the Act Entituled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees and will Pass with the following amendments, Leave out the Title and insert the following one, An Act for the Relief of Inspectors and owners of Tobacco and others who have Suffered by means of extraordinary Rains and high Tides and Other Defects in the Inspection Law and Leave out all the Last Page of the Bill Sent to the Lower house by Benedict Calvert Esq.^r

An Engrossed Bill from the Lower house by Mess.^{rs} Govane & Hinson Entituled an Act for the Relief of Inspectors and Owners of Tobacco & others who have Suffered by means of Extraordinary Rains and high Tides and Other Defects in the Inspection Law thus Subscribed

22 March 1755 p. 29

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.^o

Read and assented to by this House and Ordered to be so Subscribed

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning ten of the Clock

Monday Morning 24 March 1755

March 24

This house met again according to Adjournment

Present

The Honourable	{	Benjamin Tasker Esq. ^r	}	Bendict Calvert Esq. ^r
		Co ^t George Plater		William Goldsborough
		Co ^t Edward Lloyd		Esq. ^r

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The following Message is Sent to the Lower house by William Goldsborough Esq.^r

U. H. J.
 Libër No. 35
 March 24

By the Upper house of Assembly 24 March 1755

Gentlemen

Your reasoning in your Message on the 21.st Instant in answer to our Objections against your Bill for Raising a Supply towards his Majestys Service does not in the least afford us any Conviction of the Propriety of it, and We are Surprised to hear you Say that the Bills Signed Numbered and dated and now lying in the Paper Office are Money under the Paper Currency Act to all Intents and Purposes, Save that the Commissioners have not Authority to deliver them out under that Act, and that the Bill now under Consideration were it passed into a Law would give that Authority when it is manifest even to the most Superficial Inquirey that without expressly Establishing them and making them Current by the same Act that gives the Commissioners such Authority they cannot be tendered or offered in Payment in discharge of any Current Money Contract; for who ever read the Paper Currency Act with any Attention must Clearly See that no more Money is or can be in Circulation now, under that Act than £60000 and therefore this being a new Emission of Paper Bills and a Sum over and above the said Sum of 60000 pounds and independent there on, cannot derive any real Value from that Act so as to make them Current but must Receive it from the same Act that gives them Authority to Appear. We conceive that the Proposal of an amendment of the Bill in any part of it after it is Sent down from this house with a Negative and after so many Messages enforcing it and insisting upon the Propriety of it would be entirely irregular and not according to the Usage & Custom of Proceedings in Assembly, and therefore we shall decline making any such proposal. We apprehend that it is to obvious to be denied that the emission of 20 or 30 thousand pounds of New Money would greatly depreciate the Value of our present Currency, be a Breach of the Publick Faith and give a fatal blow to the Value of it that the Emission of the Sum of £4015:6:0 proposed by your Bill to be omitted and also be a Breach of the Publick faith and would affect the Value of the present Currency in a less degree thò you are pleased to Say you are at a Loss to conceive how it can, and therefore had we no other Reason against the Passing this Bill we hope we should be well justified in Refusing it, this is all we think necessary to offer in answer to that part of your Message, and must now observe, that as you Say, you will as Strenuously Support the Lord Proprietors Preogative as you will the Interest & Priviledges of your Constituents, We expect that if we can shew you that the Lord Proprietors Ancestors actually Licenced Several Persons in this Province to keep ordinary in Virtue of their Prerogative and issued Proclamations prohibiting any Person whatsoever within this Province to keep ordinary without such Licence which were obeyed and

that the Lower houses of Assembly in this Province once thought that the Sole Power of granting Ordinary Licences was Vested in the Lord Proprietor, you will at least acknowledge that our Present Lord Proprietor (who has the Same Right and Prerogatives now that were in his Ancestors heretofore) has some Colour of Right to the Fines arising on such Licences, and that his Right thereto does not appear so extremely doubtful to us as you would insinuate In Order then to Obviate this Matter We say that in the year 1664 Charles Calvert Esq.^r then Governor of this Province under the Right honourable Cecilius Lord Baltimore Lord and Proprietor thereof did in Virtue of Prerogatives Licence a Certain James Jolly to keep an Inn or Ordinary in his house in S^t Marys County and did take the said Jolly Recognizance in the Sum of One thousand pounds of Tobacco with condition for his keeping good Rules and Orders in such Ordinary for the Term of three years and that one Smith afterwards in the same year obtained a Licence from the Same Governor to keep an Ordinary at S.^t Marys County Court House upon the same Terms and for the same Term of years, and that in the year 1673 the same Governor issued his Proclamation directed to Certain John Allen high Sheriff of Charles County and to the Sheriff of every other County within this Province/reciting that for as much as he had Granted Licences to Several Persons within this Province for the keeping of Ordinary and that the same Licences were restrained to only one year and then to be Void, and for that he was informed that Several Persons in the Respective Counties of this Province did presume to keep Ordinary notwithstanding they had not Licences or that their Licences were Void and out of date/Commanding the same Sheriff that he should make publick Proclamation Through his Bailywick that all Persons that kept any publick Ordinary within the Same either by Virtue of any Licence from him or without any such Licence at all should Personally Appear before him at his house at Mattapenny the tenth day of January then next ensuing and bring with them such Licenses as they had by Virtue of which they kept Ordinary or some Testimonials from the Commissioners of the County where they Lived that they were Persons fit to keep Ordinary, and so take out new Licences or else to Proclaim that the said Licences to them formerly Granted were thereby Vacated and that they should be proceeded against as Persons that Sold drink and kept Ordinaries without Licences &c. and that afterwards at a General Assembly held at S.^t Marys in May 1674 a Member of the Lower house moved the house that it was necessary to Provide against the Inconveniences of a multitude of Ordinaries in by Places and from such Places where Courts were kept upon the Road to give Entertainment to Passengers and Travellers &c. and that upon a Debate before that house thereon it was Resolved that that they should Send a Message to

U. H. J.
Liber No. 35
March 24

p. 31

U. H. J.
Liber No. 35
March 24

his Excellency in whom they said the Sole Power of Granting Licences was, to desire his Excellencys Pleasure if that house should draw an Act that no Person in this Province should have a Licence to keep Ordinary for the future but that he should give Bond to his Excellency with good Sureties that he should Provide such a Number of Beds &c. and keep good Rules and Orders &c. and presented the same to his Excellency accordingly and that his Excellency having Considered the Message from the said Lower house did assure them that for the future no Licences should be granted to any Person within this Province to keep Ordinary But Care should be taken that the Conditions and Restrictions desired by that house in their said Message should be inserted in each Recognizance to be given by each respective Ordinary keeper upon taking his Licence &c. From these Instances Gentlemen and many other which for Brevity Sake we omitt to insert, We Say that it appears to Us that this Prerogative was insisted upon and exercised by the then Lord Proprietor, acknowledged to be his Right by the Lower house of Assembly and acquiesced in by the People near a hundred years ago. If the then Lord Proprietor had such a Prerogative it is not amiss to Consider whether any Act has been done or could be done Since to divest the Present Lord Proprietor of the same Prerogative and this Leads us to observe that in order to Shew that his Lordships Prerogative is not in the least Degree infringed by your appropriating the fines arising upon Ordinary Licences you Refer us to the Acts of Assembly made in the year 1717 where the late Lord Proprietary you say accepted of the Fines arising upon Ordinary Licences as a Grant from the People and that with Expressions Strongly Insisting that such Application cannot be made without the Assent of the Representatives of the People in a Law, to which we Answer that if the late Lord Proprietor out of his great Condescension to the Importunities of the People thought proper to Pass such an Act he did not thereby part with his Prerogative neither can his Passing that act be construed so as to divest him of his Prerogative but rather a suspension of the Exercise of it, and we insist that if the Present Lord Proprietors Ancestors had passed or assented to Twenty Acts of the same kind such assent cannot divest him of the Right he has in Virtues of his Prerogative here as Lord and Proprietor of the Province and which is devolved upon him by Inheritance under the Royal Charter Granted to his Noble Ancestors, and that this Prerogative Remains in the same Plight and Condition as it would have been in, if such Act or Acts had not been assented to and is not in the least weakened and infringed thereby

p. 32

We readily agree with you that there is not the least Occasion for Entering into Disputes upon Matters which are so very obvious, and we must confess We are at a loss to find any good Reason why his Lordship should at this or any other time give up his Prerogative

in an Instance where it is contended he has no Right in Virtue of it, purely because he meets with opposition in the Exercise of it, and because his Excelency our Governor has very lately in his behalf been so very Generous to the Country to forbear insisting on it to Serve a very pressing and important Occasion, We have made these Remarks Gentlemen to justify our Saying in a former Message that the Attempt to Appropriate the the Fines arising upon Ordinary Licences was Striking at the Lord Proprietarys Prerogative and not with any design to enter into a Controversey upon that point at this Improper Season, when our duty to the best of Kings calls loudly upon us to employ our Time more to the Advantage of the Common Cause against our Enemies. And now Gentlemen having finished all that We intend to Say to you upon this Bill we must tell you plainly that if you are determined to adhere to it in the parts that We have objected to, and will not defer insisting on Your Right to appropriate the Fines arising upon Ordinary Licences untill a more favourable and Suitable Juncture, the end of our meeting here will be entirely frusterated for we cannot concur with you, and hope we shall stand justified in this Conduct not only before his most gracious Majesty and our Noble Proprietor but also before all other impartial & unprejudiced Persons whatsoever; but if you can/at this time of imminent Danger of losing our Laws Liberty and Religion and every thing else that is near and dear to us and being Subjected to Popish Tyranny and Slavery/prevail upon Yourselves to fall upon some other unexceptionable Measures for raising a necessary Supply towards Rendering effectual his Majestys Royal Intentions against our most avowed and inveterate Enemies the French We do assure you we will most Chearfully give all the assistance in our power to the dispatch of such a Bill by which means we may join in giving a Sure Testimony of our firm Attachment to his Majestys most gracious Person and Government and shew that we are always ready to obey his Royal Commands.

U. H. J.
Liber No. 35
March 24

Signed p Order John Ross Ct Up H.°

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 25 March 1755

March 25

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
March 26
p. 33

Wednesday Morning 26 March 1755

This house met again according to Adjournment

Present as Yesterday with the Addition of Co^t Hammond
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The Several Paper Bills the Originals of which have passed both Houses this Session are Sent to the Lower house by Benedict Calvert Esq.^r

Ordered that the Clerk of this house Receive the Same fees on all Private Bills passed this Session as are allowed by the Lower house to their Clerk

Co^t Plater and Co^t Hammond are Sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate attendance with the Lower house in the Upper house to See the Laws Passed both houses Receive the assent

The Lower house Attend and By their Speaker present to his Excellency the following Bills Viz.^t

An Act directing the Commissioners of the Currency Office Speedily to call in the Interest due upon Bonds and other Securities and all Monies due on Funds into the said Office.

An Act for the Continuance of Process in Baltimore County Court

An Act to impower and direct the Clerk of Baltimore County Court to record among the said County Records a Deed of Bargain and Sale from Isaac John deceased to Robert Adair.

An Act to aid a Defective Entry of the late deputy Clerk of Prince Georges County in the recording a Deed of Bargain and Sale from John Wheeler to W.^m Hutchison.

An Act for regulating the Rates of Carriage and Quartering Soldiers in Publick Houses within this Province for his Majestys Service.

An Act to prevent the People of this Province from Supplying the French or their Indian Allies with Ammunition Warlike Stores or Provisions of any kind

An Act for the Relief of Inspectors and Owners of Tobacco and Others who have Suffered by means of Extraordinary Rains and high Tides and other Defects in the Inspection Law

All which his Excellency passed into Laws in the usual form by Sealing them with the Right honourable the Lord Proprietary his Great Seal at Arms and Subscribing them on behalf of the Right

honourable the Lord Proprietary of this Province I will this be a
Law

U. H. J.
Liber No. 35
March 26

After which his Excellency was Pleased to conclude this Session
with the following Speech

Gentlemen of the Upper & Lower houses of Assembly

The business of this Session being at an End I have therefore
thought fit with the Advice of his Lordships Council of State to
Prorogue this Assembly to Tuesday the first day of July next and
you are to take Notice you are Prorogued to that day accordingly. p. 34

Thus Ends this Session of Assembly begun and held at the City
of Annapolis on Saturday the 22^d day of February and Ending on
Wednesday the 26th day of March following in the 4th year of
his Lordships Dominion and in the 28th year of his Majestys Reign
Annoq Domini 1755.

J Ross Ct Up Ho

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

L. H. J. Maryland ss.^t
 Liber No. 48
 1755,
 February 22
 p. 26

At a Session of Assembly begun and held at the City of Annapolis, on Saturday the 22^d Day of February, in the Year One Thousand Seven Hundred and Fifty-five, and in the Fourth Year of the Dominion of Frederick, Absolute Lord & Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. His Excellency Horatio Sharpe, Esq; being Governor, the following Members appeared in the Lower House of Assembly, viz.

The Honourable Colonel Henry Hooper, Speaker

For St. Mary's County,

M.^r Thomas Reeder,

For Kent County,

Cap.^t Alex. Williamson,

M.^r Hugh Wallis,

M.^r William Hynson.

For Anne Arundel County,

Philip Hammond, Esq;

Doctor Charles Carroll,

Major Henry Hall,

Cap.^t John Gassaway.

For Calvert County,

M.^r James John Mackall.

For Charles County,

M.^r Bayne Smallwood,

M.^r John Stoddert,

Cap.^t John Jordan,

M.^r Henry Moore.

For Dorchester County,

M.^r Joseph Cox Gray,

For Baltimore County,

M.^r John Paca,

M.^r Walter Tolley,

M.^r Lloyd Buchanan,

M.^r William Govane.

For Prince George's County.

Cap.^t John Addison,

M.^r John Hawkins, junr.

For the City of Annapolis,

M.^r Stephen Bordley,

M.^r Walter Dulany.

For Queen-Anne's County,

M.^r Robert Lloyd,

M.^r Edward Tilghman,

M.^r John Bracco.

For Worcester County,

Col. John Henry.

For Frederick County,

M.^r Henry Wright Crabb,

M.^r Josiah Beall,

M.^r Edward Sprigg.

A sufficient Number of the Members of the Lower House being convened at the Stadt-House, Ordered, That M.^r Edward Tilghman and Capt. Jordan, do acquaint his Excellency therewith.

L. H. J.
Liber No. 48
February 22

They return and acquaint M.^r Speaker that they delivered the Message.

George Plater, and Richard Lee, Esq.^{rs} from the Upper House, acquaint M.^r Speaker that the Governor requires the Attendance of the Lower House immediately in the Upper House.

M.^r Speaker left the Chair, and with the rest of the Members of the Lower House went to the Upper House where his Excellency made a Speech to both Houses of Assembly.

M.^r Speaker (with the Members of the Lower House) Returned and reassumed the Chair.

On Reading here the Governor's Speech a Copy of which was Delivered by him to M.^r Speaker, Contained in the following Words, viz.^t

Gentlemen of the Upper and Lower Houses of Assembly,

p. 27

As you have already Expressed yourselves Sufficiently Sensible of the fatal Consequences that must attend the Enemys remaining Masters of that Part of his Majestys Dominions to the Westward on which they have lately presumed to raise Forts and make Settlements and have promised that Nothing shall be wanting on your Part to avert the Imminent Danger with which their Vicinity threatens us, it only remains with me now to hope that you will fall on the most prudent and unexceptionable Measures to Raise as large a Sum as the Circumstances of this Province will allow; and generously and gratefully express your Duty to the best of Kings, and your Care and Regard for the Lives and Fortunes of Yourselves and Fellow-Subjects: the Advice and Instructions I have received from Home, since our last Meeting, might give me Occasion to Enlarge on the Tender and Paternal Care that his Majesty has been most graciously pleased to shew, for the Security and Welfare of his Subjects in these Parts of his Dominions but as I am persuaded that I need not attempt to add to the Weight of a Letter, that I have received from One of his Majestys principal Secretarys of State which sets in the strongest Light that and the several other Motives, which should prompt us to exert ourselves on this Occasion I will satisfy myself with laying it before you; and with Exhorting you to consider how far the Season is already advanced and to finish the Business for which you are assembled, with the greatest Dispatch.

Gentlemen I take this Occasion of recommending to you, to regulate the Hire of Waggons and Horses in Case the Service should require us at any time to impress either in this Government which I do not doubt but you will think highly proper and Reasonable

L. H. J.
Liber No. 48
February 22

when I acquaint you that a short Experience has shewn that many of the Inhabitants have raised the Price of Carriage since the beginning of these unhappy Disturbances, in Proportion as they found we stood in Need of their Assistance.

I must also observe to you that the few Men we have been hitherto obliged to Quarter in or March through this Province have occasioned a very Extravagant Expence by Reason the Ordinary-Keepers refused to receive any into their Houses or afford them Entertainment but at the Rates that have been settled by the Magistrates of the respective Counties for private Travellers and Passengers; These Prices I doubt not you will think too great to be paid for private Soldiers; and you will I hope regulate them by a Bill in a moderate and reasonable Manner which will remove all Occasion of Dispute between the soldiers and the Inhabitants.

Gentlemen of the Lower House

I shall acquaint you by a Message, how part of the Six Thousand pounds, which you granted sometime since, has been disposed of for the service; and shall be much pleased, if my Manner of Expending it receives your Approbation.

Ordered That an Address be prepared to his Excellency thereon and that the Committee of Laws do prepare and bring in the same.

The Governor having delivered to M.^r Speaker a Letter from Sir Thomas Robinson one of his Majestys principal Secretaries of State, Ordered That the same be Read, which was accordingly.

p. 28 Ordered that Sir Thomas Robinsons Letter be Entered on the Journal of this House. In Pursuance of the Order . . . of the House the following Letter is Entered viz.^t

Duplicate

Whitehall 26th Octo^r 1754.

Sir

Having informed you in my Letter of July 5th that the King had under his Royal Consideration the State of Affairs in North America I am now to acquaint you that amongst other Measures that are thought proper for the Defence of his Majestys Just Rights and Dominions in those parts the King has not only been pleased to Order Two Regiments of Foot Consisting of Five hundred Men Each Besides Commissioned and Non Commissioned Officers Commanded by Sir Peter Halket & Col^o Dunbar to Repair to Virginia & to be there augmented to the Number of 700. Each, but likewise to send Orders to Gov^r Shirley and Sir Will^m Pepperell to Raise Two Regiments whereof they are Respectively appointed Colonels of 1000 Men Each and also to sign Commissions for a Number of Officers to Serve in the said Two Regiments and who will forthwith Repair to North America for that Purpose.

Whereas there will be wanting a Considerable Number of Men to make up the Designed Complements of the Said four Regiments, it is his Majestys pleasure that you Should be taking the previous Steps towards Contributing as far as you can, to have about 3000. Men in Readiness to be Enlisted, and it is his Majestys Intention that a General Officer of Rank and Capacity to be appointed to Command in chief all the Kings Forces in North America a Deputy Quarter Master General and a Commissary of the Musters shall set out as soon as Conveniently may be. in order to prepare Every thing for the Arrival of the Forces above-Mentioned from Europe, and for the Raising of the others in America. You will receive from that General and the other Officers Just Mentioned a full and Exact Account of the Arms, Cloathing and other Necessarys to be sent upon this important Occasion, as Likewise of the Ordinance Stores, and of the Officers and Attendance Belonging thereto all which being ordered for this Service are Such proofs of his Majestys Regard for the Security and Welfare of his Subjects in those Parts as cannot fail to Excite you to Exert Yourself and those under your Care to take the most Vigorous Steps to Repel your Common Dangers, and to shew that the Kings Orders which were sent you Last Year by the Earle of Holdernessee and were Renewed to you in my Letter of the 5th July have at last Rouzed that Emulation and spirit which Every Man owes at this time to his Majesty, the publick and himself. The King will not therefore Imagine, that Either you or the Rest of his Governors will suffer the Least Neglect, or Delay, in the performance of the present service, now strongly Recommended to you, particularly with Regard to the following Points. Viz^t That you should Carefully provide a sufficient Quantity of fresh Victuals at the Expence of your Government to be Ready for the use of the Troops at their Arrival that you should likewise furnish the Officers who may have Occasion to go from place to place with all Necessarys for travelling by Land, in Case there are no Means of going by Sea; and that you should use Your utmost Diligence And Authority in procuring an Exact observance of Such Orders as shall be Issued from time to time, by the Commander in Chief for Quartering the Troops, impressing Carriages and providing all Necessarys for such Force as shall arrive or be Raised within Your Government; as the Articles above Mentioned are of a Local and Peculiar Nature & arising Entirely within Your Government, it is almost Needless for me to acquaint you, that his Majesty will Expect that the Charges thereof be Defrayed by his Subjects Belonging to the same, but with Regard to such other Articles which are of a More General Concern, it is the Kings pleasure that the same Should be Supplied by a Common Fund, to be Establish'd for the Benefit of all the Colonies, Collectively, in North America, for which Purpose, you will use

L. H. J.
Liber No. 48
February 22

p. 29

L. H. J.
Liber No. 48
February 22

Your Utmost Endeavours to Induce the Assembly of your Province to Raise forthwith as Large a Sum as can be afforded, as their Contribution to this Common Fund to be Employed provisionally for the General Service of North America, Particularly for paying the Charge of Levying the Troops to make up the Complements of the Regiments above Mentioned untill such time as a Plan of General Union of his Majestys Northern Colonies for their Common Defence can be perfected. You will Carefully Confer or Correspond as you shall Have Opportunities, upon Every thing Relative to the present Service; with the said General, Gov^r Shirley and Sir William Pepperell or Either of them and as it is the Kings Intention to give all proper Encouragement to such Persons who shall engage to Serve upon this Occasion you will acquaint all Such persons, in the Kings Name that they will receive Arms and Cloathing from Hence and that they shall be sent back (if Desired) to their Respective Habitations when the Service in America is over.

As the several Governors in all the Kings Provinces and Colonies in North America will Receive by this Conveyance a Letter to the same Effect with this which I now send you they will be prepared at the same time to obey his Majestys Commands and I am to Direct you to Correspond with all or Either of them Occasionally as you shall find it Expedient for the General Service. I am

Sir

Your most obedient
Humble servant
T. Robinson

Ordered that the Gentlemen who were of the several Committees from this House last Session be continued thereon this session.

Resolved That the Hours of Sitting for the Dispatch of publick Business this Session bee from Nine of the Clock untill Twelve before Noon and from Two of the Clock untill five Afternoon.

Resolved that the Rules observed by the several Members of this House Last session be observed as such during this session.

p. 30 Ordered that M.^r Dulany do acquaint the Rev:^d M.^r Macpherson that hee is Desired by this House to Read Divine Service Morning and Evening during this Session.

The House adjourns till Monday Morning at 9 of the Clock.

February 24

Monday Morning 24.th February 1755

The House Met according to Adjournment.

The Members were called and all appeared as on Saturday Except M.^r Bracco M.^r Hammond M.^r Buchanan Major Hall and Capt. Gassaway.

The Proceedings of Saturday were Read.

M.^r Chase, M.^r Reynolds M.^r Matthew Tilghman M.^r Edmondson
M.^r Edge, Major Travers M.^r Earle M.^r Ward and M.^r Handy ap-
peared in the House.

L. H. J.
Liber No. 48
February 24

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Mills appeared in the House.

Doctor Carroll from the Committee of Laws brings in and Deliv-
ers to M.^r Speaker an Address to his Excellency which was Read
approved and ordered to be Ingrossed.

On Motion Resolved That this House will take into Consideration
on Thursday next, the Minutes of the Commissioners Proceedings
at the Congress held at Albany in June last and the several Matters
contained therein.

The House adjourns till the Morrow Morning at 9 O'Clock.

Tuesday Morning 25.th February 1755

February 25

The House Met according to Adjournment, &c.

M.^r Hammond, Major Hall, Capt. Gassaway and M.^r Buchanan,
appeared in the House.

The following Message

By the Lower House of Assembly 25.th feb.^y 1755

May it please your Honours

This House hath appointed M.^r Dulany, M.^r Earle Col. John
Henry M.^r Edge M.^r Beall and M.^r Handy, a Committee from this
House to Inspect the Accounts and Proceedings of the Commis-
sioners for Emitting Bills of Credit Established by Act of Assembly
and Desire your Honours to appoint one or More of the Members
of your House to join in the said Committee.

Signed p Order, M : Macnemara, Cl. Lo : Ho :

Was sent to the Upper House by M.^r Dulany and M.^r Earle.

On Motion that a Bill be brought in Directing the Commissioners
of the Paper Currency Office to call in speedily the Interest Money
due on Bonds and other Securities and all Monies due on Funds
payable into the said Office Leave is given ; Ordered that the Com-
mittee of Laws do prepare and bring in the Same.

M.^r Lloyd from the Committee of Laws brings in and delivers
to M.^r Speaker the following Address Ingrossed, viz.^t

L. H. J.
Liber No. 48
February 25
p. 31

To his Excellency Horatio Sharpe, Esq; Governor and Commander
in Chief in and over the Province of Maryland.

The Humble Address of the House of Delegates.

May it please your Excellency

We his Majestys most Dutiful and Loyal Subjects the Delegates of the Freemen of Maryland in General Assembly convened, return your Excellency our Thanks for your Speech at the Opening of this Session; and assure your Excellency that however sensible we have already expressed ourselves of the fatal Consequences which must attend the Enemys remaining Masters of the Country to the Westward; and whatever Promises we have made on our Part towards averting that Danger with which their Vicinity threatens us; the same Sensibility of those Consequences and Readiness to perform those Promises still subsist

And were the self-interested Motive of our own Preservation Entirely out of the Case our sense of Gratitude and Duty to his most sacred Majesty, whose gracious Benevolence and paternal Care towards all his Subjects so highly conspicuous would demand from us our Warmest and Just Acknowledgements, and excit our best Efforts to answer his Royal Expectations.

But we intreat your Excellency to reflect that we the Delegates make but one Branch of the Legislature of this Province and that without the Concurrence of the Rest, however well deposed we may be, nothing effectual can be done towards promoting the present service as is too evident from what we have already unsuccessfully attempted on this subject.

We shall nevertheless on our part take into Consideration the several Matters by your Excellency Laid before us; and hope the Circumstances of the Times and People we Represent, considered to acquit ourselves as not undeserving his Majestys Goodness, your Excellencys Approbation or the Esteem of our Constituents and other fellow subjects.

We entertain no doubt of your Excellency's having properly and frugally disposed of the Sum you Mention and readily accept your Offer of an Account in part, and hope the same with regard to the Residue when you shall be able to lay such Account before us.

Which was Read and Assented to and Signed by Order of the House by The Honourable Speaker.

Ordered, that Doctor Carroll and M.^r Matthew Tilghman do acquaint his Excellency that this House hath prepared an Address to be Presented to him and desire to know when and where he will please to receive it They return and acquaint M.^r Speaker they delivered the Message and that his Excellency was pleased to signify he would receive the Address in the Afternoon in the Conference Chamber.

The House adjourns till 2 of the Clock.

Post-Meridiem.

L. H. J.
Liber No. 48
February 25
p. 32

The House met according to Adjournment.

Ordered, That Philip Hammond Esq and 14 More, do Present the Address to His Excellency They return and acquaint M.^r Speaker they presented the same.

Benedict Calvert Esq from the Upper House, Delivers to M.^r Speaker the following Message

By the Upper House of Assembly 25 february 1755

Gentlemen,

This House hath named Richard Lee Esq to join the Members appointed by your House in a Committee to inspect the Accounts and proceedings of the Comm^{rs} of the Paper Currency Office.

Signed p Order, J. Ross, Cl: Up: Ho:

On Motion Resolved that this House will take into Consideration on the Morrow Morning the subject Matter Contained in his Excellency's Speech at opening this Session.

The House adjourns till the morrow Morning 9 O Clock.

Wednesday 26th February 1755.

February 26

The House met according to Adjournment, &c.

M.^r Baker and M.^r Bracco appeared in the House.

The Order of the Day being Read, the House took into Consideration the subject Matter contained in his Excellency's Speech: and on Motion

The Question was put, Whether the House will grant the Sum of £7000 or more.

Resolved that the House will Grant more.

The Question was then put Whether the Sum of £10,000 shall be Granted, or Not Resolved that the Sum of £10,000 be Granted.

For the Affirmative,

Chase,	Gray,	Bordley
Reeder,	Travers,	Dulany,
Mills,	Buchanan,	Lloyd,
Williamson,	Earle,	Bracco,
Wallis,	Baker,	J. Henry,
Hynson,	Ward,	Crabb,
Jordan,	Addison,	Beall,
Moore,	Hawkins,	Sprigg. [25]
Handy,		

L. H. J.
Liber No. 48
February 26

	For the Negative,	
Hammond,	Reynolds,	Edge,
Carroll,	Smallwood,	Paca,
Hall,	Stoddert,	Tolley,
Gassaway,	M. Tilghman,	Govane,
Mackall,	Edmondson,	E. Tilghman. [15]

On Resolution of the foregoing Question Resolved further that the Sum of £10000 to be Raised for his Majesty's Service, be pursuant to the Plan (as near as Conveniently may be) observed Last Session.

Ordered That the Committee of Laws do prepare and bring in a Bill accordingly.

p. 33 On Motion Resolved That an Enquiry be made, by the Committee appointed for inspecting into the Proceedings of the Commissioners of the Paper Currency Office, what Ballance is due on the Funds for replacing the Sums Expended upon the Expeditions to Cuba, Canada, and Albany also what Ballance remains in the Office in Bills of Credit unapplied and the Sum of the Interest outstanding and as near as may be what the several Funds bring in Yearly for Replacing the said Sums, or the Sum of £6000. Lately granted for his Majesty's Service.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Murdock and M.^r Waggaman appeared in the House.

On Motion that a supplementary Bill to the Act ent.^d An Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs and for the Limitation of Officers Fees be brought in. Leave is given.

Ordered that the Committee of Laws do prepare and bring in a Bill accordingly.

On Motion Leave is given to bring in a Bill for the Regulation of the Rates of Carriage and Horse Hire and the Quartering of Soldiers in Publick Houses within this Province for his Majesty's Service

Ordered that the Committee of Laws do prepare and bring in a Bill accordingly.

His Excellency communicated to M.^r Speaker the following Message, viz.^t

Gentlemen of the Lower House of Assembly.

The Inclosed Papers will acquaint you in general how part of the Six Thousand Pounds Granted by an Act passed in July Last have been expended for his Majesty's Service.

L. H. J.
Liber No. 48
February 26

Hor.^o Sharpe.

Which was read and ordered to lye on the Table.

The House adjourns till the Morrow Morning at 9 O Clock.

Thursday Morning 27th February 1755.

February 27

The House Met according to Adjournment, &c.

M.^r Casson, and M.^r Charles Goldsborough appeared in the House,

On Motion the Question was put, Whether this House will proceed on a General Course of Business or Not Resolved in the Negative.

For the Negative,

Reeder,	Smallwood,	Paca,
Mills,	Stoddert,	Tolley,
Hammond,	Moore,	Buchanan,
Carroll,	Handy,	Govane,
Hall,	Waggaman,	Baker,
Gassaway,	Gray,	Dulany,
J. Mackall	Travers,	J. Henry,
Reynolds,	C. Goldsborough,	Beall. 24

For the Affirmative,

Williamson,	Edge,	Lloyd,
Wallis,	Earle,	E. Tilghman,
Hynson,	Ward,	Casson,
M. Tilghman,	Murdock,	Bracco.
Edmondson,	Hawkins,	14

On Motion the Question was put, Whether the following Question shall be put viz.^t Whether this House will continue Sitting till a full Enquiry be made by the Committee for inspecting the Accounts and Proceedings of the Comm.^{rs} of the Paper Currency Office and Report thereof made by the said Committee Resolved in the Negative. p. 34

L. H. J.
Liber No. 48
February 27

For the Negative,

Chase,
Reeder,
Mills,
Hammond,
Carroll,
Hall,
Gassaway,
J. Mackall,
Reynolds,

Smallwood,
Stoddert,
Jordan,
Moore,
Handy,
Waggaman,
Gray,
Travers,
Paca,

Tolley,
Buchanan,
Govane,
Baker,
Addison,
Bordley,
Dulany,
Beall,

26

For the Affirmative,

Williamson,
Wallis,
Hynson,
M. Tilghman,
Hynson,
M. Tilghman,
Edmondson,

Edge,
C. Goldsborough,
Earle,
Ward,
Murdock,
Hawkins,
Lloyd,

E. Tilghman,
Casson,
Bracco,
J. Henry,
Crabb,
Sprigg.

[20]

Ordered That M.^r Bracco be added to the Committee for inspecting the Accounts and Proceedings of the Commissioners or Trustees for emitting Bills of Credit established by Act of Assembly.

The Order of the Day being Read the House took into Consideration the Minutes of the Proceedings of the Commissioners at the Congress held at Albany in June Last and on mature Deliberation of the Plan of Union therein mentioned Unanimously Disapproved thereof as manifestly tending to the Destruction of the Rights and Liberties of his Majesty's Subjects within this Province.

Ordered that the Committee of Laws do prepare an Address to his Excellency in Answer to his Message of the 21st of December Last Communicated to this House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment &c.

The House adjourns till the Morrow Morning at 9 o Clock.

February 28

Friday Morning 28th February 1755

The House met according to Adjournment &c.

Doctor Carroll from the Committee of Grievances and Courts of Justice delivers to M.^r Speaker the following Report

By the Committee of Grievances and Courts of Justice

Feb^{ry} 28th, 1755.

L. H. J.
Liber No. 48
February 28

Upon the Representation of M.^r Henry Wright Crabb, one of the Members of the Hon^{ble} House, that a certain John Rawlings, Gent. one of the Justices of the Peace for Frederick County had under Colour of such his Office caused one Thomas Kelly a Freeholder of the same County, to be taken up for a Soldier and that without any Application to him made by any Officer or Officers thereto authorized by an Act, Entituled An Act for taking and detaining able bodied Men for his Majesty's Service and contrary to the Tenor of the same Act as also, that he the said Rawlings, by his Letter, dated the 23d Day of December last past, directed to Messrs. Lynn, Jones, and Prather, Justices of the same County, hereunto annexed, had granted his Warrant, to William Spiers, against a certain Benjamin Harris, for the Sum of Two Pounds Ten Shillings, when at the same Time, he by the said Letter confesses, there was a greater Sum due to the said Spiers, from the aforesaid Harris: And further, that he the aforesaid John Rawlings, did, on the 4th Day of January last, commit a certain John West, to the Sheriff of the same County, by an illegal Mittimus, a Duplicate of which is hereunto annexed. p. 35

All which Actings of the said Rawlings, your Committee conceive to be contrary to Right and Law; but is humbly submitted to the Consideration of your Honourable House.

Signed per Order, William Wilkins, Clerk.

And the following papers, viz.^t

Mr. Lynn, or Mr. Jones, or Mr. Prather.

Gentlemen,

As I have issued a Warrant against Benjamin Harris, at the Suit of William Spiers, for Two Pounds Ten Shillings, desire that you will not sign up a Judgment against the Plaintiff, for to my Knowledge he has been very ill used by Harris, and I verily believe that Debt to be just, and more if he could bring it under a Warrant.

Am your very humble Servant,

John Rawlings.

December 23, 1754.

Frederick County, ss.

Take into your Custody the Body of John West, junr. and him safe keep in your Goal, till he has given you Security for his Appearance on the Third Tuesday in March, 1755, at Frederick County Court, in the Sum of Twenty Pounds, to answer the Complaint that I shall make against him, fail not at your Peril. Given under my Hand and Seal, this 4th Day of January, 1755.

John Rawlings,

SEAL

To Samuel Beall, Esq; Sheriff.

You are to receive the said John West, junr. by the Hands of Luke Bernard, Constable.

L. H. J.
Liber No. 48
February 28

Frederick County, ss.

Take into your Custody the Body of John West, junr. and him have before me, for destroying my Warrant against sundry Persons, that I sent for to serve his Majesty, fail not at your Peril. Given under my Hand and Seal, this 3d Day of January, 1755.

John Rawlings,

SEAL

To Luke Bernard, } Mr. Bernard, you must go and serve it To-
Constable. }morrow Morning.

Which was Read, and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Hicks, and Col. Fitzhugh, appeared in the House.

The Accounts and Papers communicated by his Excellency the Governor to Mr. Speaker, and by him to the House, relating to the Disposal of the Sum of £6000 granted by Act of Assembly for his Majesty's Service, were Read. And,

p. 36 On Motion, Ordered, That the Examination of the said Accounts and Papers be referred to Mr. Murdock, Mr. Waggaman, Mr. Stoddert, Mr. Hawkins, Mr. Govane, Mr. Williamson, Mr. Sprigg, Mr. Crabb, Mr. Baker, and Capt. Jordan, as a Committee, from this House, for that Purpose, and that they make Report thereof accordingly.

It being moved by a Member, That for the more effectual raising the Sum of £10,000 for his Majesty's Service, a Capitation of One Shilling and Six Pence be made:

Thereupon, the Question was put, Whether the following Question shall be now put? (viz. Whether a Poll Tax of One Shilling and Six Pence shall be levied?) Resolved in the Negative.

For the Negative,

Reeder,	Jordan,	Baker,
Williamson,	Moore,	Ward,
Wallis,	Handy,	Addison,
Hynson,	M. Tilghman,	Murdock,
Hammond,	Edmonson,	Hawkins,
Carroll,	Edge,	Lloyd,
Hall,	Gray,	E. Tilghman,
Gassaway,	Travers,	Casson,
J. Mackall,	Paca,	Bracco,
Reynolds,	Tolley,	Crabb,
Smallwood,	Govane,	Beall,
Stoddert,	Earle,	Sprigg. [36]

For the Affirmative,

Chase,
Mills,
Hicks,
Fitzhugh,

Waggaman,
C. Goldsborough,
Buchanan,

Bordley,
Dulany,
J. Henry.

[10]

L. H. J.
Liber No. 48
February 28

His Excellency the Governor communicates to Mr. Speaker, an Answer to the Address of this House, viz.

Gentlemen of the Lower House of Assembly,

Be pleased to think, that your Address gives me much Satisfaction, as it assures me of the Continuance of your Inclination and Intention to promote the Service recommended to you, according to the Ability of your Constituents; and gives me the most agreeable Hopes that his Sacred Majesty's most gracious Benevolence, and paternal Care, towards his Subjects in these Parts of his Dominions, so highly conspicuous, will inspire you with reciprocal Sentiments of Duty and Gratitude, and urge you to evince both in a Manner most agreeable to his Royal Expectations. As the other Branches of the Legislature have also repeatedly made the same Professions, I hope there is not the least Room to suspect they were less sincere; wherefore I entertain sanguine Hopes, that you will now fall on such Measures, to promote his Majesty's Service, as will meet with their ready Concurrence; and that the End will now be obtained which we all seem to have in view, and are equally solicitous to accomplish.

Hor.^o Sharpe.

The House adjourns till the morrow Morning at 9 of the Clock.

Saturday Morning, 1st March, 1755.

March 1
p. 37

The House met according to Adjournment, &c.

Col. R. J. Henry, Mr. J. Dennis, senr. and Mr. J. Dennis, junr. appeared in the House.

On reading the Report from the Committee of Grievances and Courts of Justice, relating to Mr. John Rawlings, of Frederick County, the House concurs therewith.

Resolved, That this House will, on Tuesday next, the 4th Instant, take into further Consideration, the Report from the Committee of Grievances and Courts of Justice, relating to the Complaint and Facts therein set forth against Mr. John Rawlings, of Frederick County.

Ordered, That Mr. John Rawlings, of Frederick County, do attend at the Bar of this House, on Tuesday next, being the 4th Instant, to answer the Complaint and Facts, set forth in the Report from the Committee of Grievances and Courts of Justice.

L. H. J.
Liber No. 48
March 1

Ordered, That the Serjeant at Arms attending this House, do give Notice to Mr. John Rawlings, aforesaid, of the Resolve and Order of this House, relative to him, by serving him with a Copy thereof; and acquaint him, that he is ordered by this House, to attend accordingly, to answer the Complaint and Facts, as aforesaid set forth, in the said Report.

The House adjourns till 2 of the Clock.

Post-Meridiem.

The House met according to Adjournment, &c.

Philip Hammond, Esq; from the Committee of Laws, brings in and delivers to Mr. Speaker a Bill, entituled, An Act for raising a further Supply towards his Majesty's Service; which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Philip Hammond, Esq; and Nine more.

The House adjourns till Monday Morning at 9 of the Clock.

March 3

Monday Morning, 3^d March, 1755.

The House met according to Adjournment, &c. All appeared as on Saturday, except Mr. Chase, Col. Fitzhugh, Mr. Buchanan, Mr. C. Goldsborough, Mr. Paca, and Mr. J. Mackall. The Proceedings were Read.

Mr. Gresham, Col. Scarborough, and Capt. Evans, appeared in the House.

On Motion, That a Bill be brought in, To prevent the Importation of German Papists, and Popish and Jesuitical Priests; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Mr. Edward Tilghman, from the Committee of Laws, brings in and delivers to Mr. Speaker a Bill, entituled, An Act directing the Commissioners of the Currency Office, to call in the Interest due on Bonds and other Securities, and all Monies due on Funds, payable into the said Office; which was Read the first Time, and ordered to lie on the Table.

p. 38 On Motion, That a Bill be brought in, For the Adjournment of Baltimore County Court; Leave is given:

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock.

Post-Meridiem.

The House met according to Adjournment, &c.

The Bill entituled, An Act directing the Commissioners of the Currency Office, to call in the Interest due on Bonds and other Securi-

ties, and all Monies due on Funds payable into the said Office; was read the second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. Lloyd, and Mr. Stoddert.

L. H. J.
Liber No. 48
March 3

Mr. Bordley, from the Committee of Laws, brings in and delivers to Mr. Speaker a Bill, entituled, An Act to adjourn Baltimore County Court; which was Read the first and second Time, by an especial Order, and will not pass.

The House adjourns till the Morrow Morning at 9 of the Clock.

Tuesday, March 4, 1755.

March 4

The House met according to Adjournment, &c. All appeared as Yesterday, except Mr. Bordley.

A Petition of John Rawlings, of Frederick County, praying a Copy of the Report, from the Committee of Grievances, &c. and Time to answer the Facts therein contained, preferred to this House, was Read, and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

His Excellency communicated to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

Having just received Advices from the Lord Proprietary, I take this Opportunity of paying the most ready Obedience to his Lordship's Instructions, by acquainting you, that his Lordship has, on a full and deliberate Consideration of the several Acts that were enacted in the October Session, 1753, signified to me, that the Objections which lie against some Parts of the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, would have induced him to signify his immediate Dissent to that Act, had not a Sense of the great Utility of that Part of the Act which relates to the Staple of Tobacco, his Lordship's affectionate Regard for his Tenants, and a firm Persuasion that you will not hesitate to prepare a Bill, to repeal the Parts objected to, inclined him to suffer the Act to continue till his Pleasure thereon could be made known to you, that you may have an Opportunity to agree with the Gentlemen of the other House, on such Repealing Act as his Lordship expects and desires. The exceptionable Clauses are those that relate to the Regulating and Limiting Officers Fees, and the Rates of English and Foreign Coins. Such an Act as his Lordship mentions, I most earnestly recommend to you, hoping you will proceed thereon, in a Manner that will give entire Satisfaction.

L. H. J.
 Liber No. 48
 March 4
 p. 39

The Lord Proprietary has been also pleased to signify to me, that many weighty and most important Reasons have induced him to dissent to the Act, entituled, An Act to impower the several Courts within this Province, to order Commissions for the Examination of Witnesses residing beyond Sea, and for the more easy Foreclosure of Mortgages, that was enacted at the same Session; but his Lordship has been pleased to intimate, that he does not conceive the Three Clauses of this Act, which respect the more easy Foreclosure of Mortgages, to be liable to any Objections, and that it is not on Account of that Part, that his Lordship has dissented to that Act: His Lordship has also been prevailed on, by cogent Reasons, to send his Dissent to one other Act of Assembly, passed at the same Time, entituled, An Act to Repeal an Act entituled, An Act for the Confirmation of the Lands therein mentioned, to Richard Bennet, Esquire. These Particulars, Gentlemen, I acquaint you with, in Obedience to his Lordship's Requisition; and, also, take this Occasion of informing you, that the Petition which the late House of Delegates, in their Address to him, desired the Lord Proprietary to present to the Lords Commissioners of Trade and Plantations, has been presented agreeable to his Lordship's Promise, in his Answer to that Address, and his Lordship desires you will believe, and be assured, that he will pursue all Measures to obtain the Liberty and Permission applied for, and requested, by the said Petition.

Hor.^o Sharpe.

Which was Read, and ordered to lie on the Table.

Mr. Edward Tilghman, from the Committee of Laws, brings in and delivers to Mr. Speaker a Bill, entituled, An Act for preventing the Importation of French and German Papists into this Province; which was Read the first Time, and ordered to lie on the Table.

The House adjourns till the morrow Morning 9 of the Clock.

March 5

Wednesday Morning, 5th March, 1755.

The House met according to Adjournment, &c.

Mr. Lloyd, from the Committee of Laws, brings in and delivers to Mr. Speaker a Bill, entituled, An additional Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; which was Read the first Time, and ordered to lie on the Table.

His Excellency the Governor communicates to Mr. Speaker the following Message, (viz.^t)

Gentlemen of the Lower House of Assembly,

As I have just received a Letter, by Express, from Sir John St. Clair, acquainting me that he has many Things in command from General Braddock, to communicate to me at Alexandria, which requires my immediate Presence at that Place, he being unable, on Account of his Instructions, to come hither; I should be glad you would agree to adjourn yourselves to Friday or Saturday next, by which Time I hope to be able to return.

L. H. J.
Liber No. 48
March 5

Hor.^o Sharpe.

March the 5th 1755

The House adjourns till Friday Morning 9 of the Clock.

Friday Morning, 7th March 1755.

March 7
p. 40

The House met according to Adjournment, &c. All appeared as on Wednesday last, except Mr. Reeder, Mr. Hammond, Capt. Gassaway, Mr. Reynolds, Capt. Jordan, and Mr. Tolley.

Mr. Bordley, and Mr. Mackall, appeared in the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker a Remonstrance from Mr. Samuel Owings, Mr. Nicholas Ruxton Gay, and Robert Adair, setting forth, that, by Occasion of the bad Weather, the Justices of Baltimore County did not meet according to Adjournment, by which Means the Business of the Court is discontinued, and praying an Interposition of the Legislature;

A Petition of William Young, of Baltimore County, Sheriff, relating to the bad State and Condition of the Goal of the said County;

The Petition of John Greenif Howard, of Baltimore County, praying Leave to cut off and dock the Entail of 249 Acres of Land, Part of a Tract of Land called Harborough, and to entail other Lands in lieu thereof;

And, The Petition of John Gassaway, of Anne Arundel County, Administrator of Issac Johns, late of Anne Arundel County, deceased, praying Leave to bring in a Bill, To Record a Deed, made and executed by a certain Isaac Johns, deceased, to Robert Adair, which was omitted to be Recorded.

All which were severally indorsed, "By the Upper House of Assembly, " March 7, 1755, Read and Referred to the Consideration of the Lower House of Assembly."

L. H. J.
Liber No. 48
March 7

Mr. John Rawlings, one of the Justices of Frederick County, having attended on the Summons of this House, issued on the first of March Instant, on a Report from the Committee of Grievances and Courts of Justice, brought into the House: Ordered, That Mr. Rawlings be called to the Bar; who appeared, and being heard in his Defence, and after the Examination on Oath of several Witnesses, to the Facts contained in the said Report, in his Presence, he was ordered to withdraw.

The House referred the further Consideration on the said Report, till the morrow Morning.

The House adjourns till the Morning at 9 of the Clock.

March 8

Saturday Morning, 8th March, 1755.

The House met according to Adjournment, &c. All appeared as Yesterday, except Mr. Bordley.

Mr. Hammond appeared in the House.

The House took into further Consideration the Report from the Committee of Grievances, &c. relating to Mr. Rawlings, and on mature Deliberation thereon, Resolved, That Mr. John Rawlings has committed a manifest Error, in the Execution of his Office; and Ordered, That Mr. Rawlings be again called to the Bar, and that he be acquainted from the Chair, with the Sense this House sustains of his Conduct, and that it be recommended to him, to behave with more Circumspection in his Station for the future.

Mr. Rawlings was called to the Bar, and Mr. Speaker gave him the following Charge, viz.^t

p. 41 Mr. Rawlings,

From the Evidence that has been given in Support of the Facts contain'd in the Charge against you, it is the Opinion of this House, that you have committed a manifest Error, in the Execution of your Office, having govern'd yourself in the whole Affair, more by your Passions, than by your Understanding, which surely ought to have been the Measure of your Acting.

It is therefore recommended to you as a Rule for your future Conduct, in all judicial Proceedings, to direct yourself by the Right Rule of Law, and go no more by the crooked Cord of Opinion.

There are some Fees accrued by Means of this Enquiry, which the House expects you will pay, in doing which you are discharged from any further Attendance.

Ordered, That Major Hall, Mr. Murdock, and Mr. Stoddert, do Tax the Fees due to the Officers of this House, and others, from Mr. Rawlings, and Report the same to the House.

The House taking into Consideration the Governor's Message of the 4th Instant, concerning the Preparation of a Bill, To repeal the Parts objected to by his Lordship, in Relation to the regulating and limiting Officers Fees, and the Rates of English and Foreign Coins;

L. H. J.
Liber No. 48
March 8

The Question was put, Whether a Bill shall be brought in, To repeal the Clause in the Inspection Law, relating to regulating the Rates of English and Foreign Coins, or Not? Resolved in the Negative.

For the Negative,

Hicks,	J. Dennier, senr.	Hawkins,
Gresham,	Waggaman,	Dulany,
Williamson,	Edmondson,	Casson,
Wallis,	Edge,	Bracco,
Hynson,	Gray,	Scarborough,
Hammond,	Travers,	J. Henry,
Hall,	Govane,	J. Dennis, junr.
J. Mackall,	Earle,	Evans,
Smallwood,	Baker,	Crabb,
Stoddert,	Ward,	Bealls,
Moore,	Addison,	Sprigg.
Handy,	Murdock,	

[35]

For the Affirmative,

Mills,	M. Tilghman,	E. Tilghman.
R. Henry,	Lloyd,	

[5]

Resolved also, That this House will not give Leave for the bringing in any Bill relating thereto: Ordered, That an Address be presented to his Excellency the Governor to acquaint him with the resolution of this house relative to the Bill proposed by him to be prepared and that the Committee of Laws do prepare and bring in the same.

The Bill entituled, An additional and Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c. Was Read the second Time, and will pass, and was sent to the Upper House, by Mr. Smallwood, and Mr. Casson.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act directing the Commissioners of the Currency Office, Speedily to call in the Interest due on Bonds, &c.

Indorsed, "By the Upper House of Assembly, March 8, 1755, p. 42
Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was Read here, and passed for Ingrossing.

The House adjourns till 2 of the Clock.

L. H. J.
Liber No. 48
March 8

Post-Meridiem.

The House met according to Adjournment, &c.

The Remonstrance of Samuel Owings, Nicholas Ruxton Gay, and Robert Adair, referred from the Upper House, was here Read, and Leave given to bring in a Bill, To aid the Inconvenience therein set forth: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The Petitions of John Greenif Howard, of Baltimore County, and William Young, of Baltimore County, referred from the Upper House, were severally read here, and referred to the Consideration of next Session of Assembly.

Mr. Stoddert, from the Committee appointed to Tax the Fees due to the several Officers of this House, and others, from Mr. John Rawlings, brings in, and delivers to Mr. Speaker, the following Report, viz.

In Obedience to the Order of your Honourable House, we have proceeded to Tax the several Fees and Charges following, as due to the Officers of your House, and Others, on the Representation of Mr. Henry Wright Crabb, against Mr. John Rawlings, a Justice of the Peace for Frederick County.

To the Clerk, for six Summons, at 3s.....	£. 0:18:0
To Ditto, for a Copy of the Report, and other Papers, at Mr. Rawlings's Request,.....	0: 4:0
To the Serjeant, for serving the Order of the House on Mr. Rawlings,.....	0: 3:0
To Ditto, for serving six Summons, at 3s.....	0:18:0
To Ditto, for a Messenger to serve the several Sum- mons, &c.	2:10:0
To John West, junr. for two Days Attendance, and Itinerant Charges,	0:15:0
To John Lemar, for Ditto,.....	0:15:0
To William Williams Lemar, for Ditto,.....	0:15:0
To Bazil Baker, for Ditto,.....	0:15:0
To Thomas Kelley, for Ditto,.....	0:15:0

£. 8: 8:0

All which is humbly submitted to the Consideration of your Honourable House.

John Stoddert,
Henry Hall,
William Murdock.

The House concurs therewith.

Major Hall, from the Committee of Laws, brings in and delivers to Mr. Speaker an ingrossed Bill, entitled, An Act directing the

Commissioners of the Currency Office, speedily to call in the Interest due on Bonds and other Securities, and all Monies due on Funds, payable into the said Office; which was Read and Assented to, and sent to the Upper House, with the Paper Bill, by Col. Scarborough, and Mr. Hawkins.

L. H. J.
Liber No. 48
March 8

The House adjourns till Monday Morning at 9 of the Clock.

Monday Morning, 10th March, 1755.

March 10

The House met according to Adjournment, &c. All appeared as on Saturday, except Mr. Handy, Major Travers, and Capt. Addison. Mr. Reeder, Capt. Gassaway, and Mr. Bordley, appeared in the House. His Excellency communicated to Mr. Speaker the following Message, viz.

p. 43

Gentlemen of the Lower House of Assembly,

I submit to your Perusal some Letters and Papers that I have this Morning received from Boston and New-York. As the Expediency of such a Restraining Law, as the Governors of Massachusetts-Bay and New-York, request the Legislature of this Province to enact, is exceedingly evident, I shall not offer any Arguments to inforce what these Gentlemen have said, to incite us to concur with the Legislature of their respective Governments.

Hor.^o Sharpe.

Boston February 17, 1755

Sir

The Designs of the French/in which they have so far already Succeeded/for Invading his Majestys Just Rights in these Northern parts of America. Contrary to the most Solemn Treaties require these Governments as well for their own Safety as in faithfulness to his Majesty without Delay to use all Means in their power to frustrate these perfidious & pernicious practices.

Among other Measures necessary to be taken Especially at this Critical Conjecture (the present Aspect of Affairs threatning a Speedy Rupture) nothing we can do seems Likely to tend more by the Blessing of God to Defeat the Schemes of the French to swallow up all his Majestys Dominions on the Continent in America, than that the Governments should agree in the most Effectual Means for Stopping all supplies of Provisions & Warlike Stores from being Sent out of any of these Colonies Without the Inclosed Precaution against their being Carried to the French.

The General Assembly of this Province have passed an Order for that End (a Copy of which I now Inclose) and have Desired

L. H. J. me to solicit the Govern^{rs} of the Rest of His Majesties Colonies to
 Liber No. 48 Join with us in this Necessary Expedient for our Common Safety.
 March 10

Your Honour will observe that the Time for the Continuance of this Prohibition is Restrained to three Months, but if the other Governments should Join with us, I make no Doubt of bringing my Assembly to Extend it further.

It would give me great pleasure to have Your Honours Concurrency with me in sentiments Concerning what appears to me so Salutory a Measure at this Conjuncture for the General Good of all his Majesty's Colonies in North America.

I have the Honour to be with the Greatest Respect

Sir Your most Obedient Humble Servant

W Shirley.

p. 44

New York 24th February 1755.

Sir

On Wednesday last the Assembly of this Province was adjourned to the 2^d Tuesday in March, after I had given my Assent to three Bills One to regulate the Militia, another for Emitting Bills to the sum of £45000. £3000. of which for Fortifications in this City and on the Northern Frontier the Third is the Act Herewith Inclosed, by which you will See that the Governor with the Advice of the Council is Empowered to Restrain the sending Provisions to Cape Breton &c^a. I hope the other Governments on the Continent will fall into the like Measure, that the Good Intentions of this Law may not be frustrated, for it would be unreasonable and would not answer the purpose that the Trade of One Province should be Restrained, while the others are left at Liberty: I hope you will prevail with your Assembly to fall into a Measure so very proper at this Time and that all the Provinces will Concur, that his Majesty's Subjects may no Longer by Supplying the French with Provisions Enable them to Carry on their pernicious Designs. You will observe that the Act is to Continue for four Months, but I think I may Venture to assure you, that if the other Provinces come into the Like Measure, this Assembly will readily Renew the Act as Long as it can be of any Service. I had the pleasure by Last Saturdays Post to hear from M^r Shirley that in Massachusetts Bay they had passed a Law for this purpose. I am

£5000 is given for Provisions S^r

& other Contingencys in Case his
 Majesty's Troops Come into this
 Province.

Your most Obedient, &

Most humble servant

James De Lancey

On reading and considering his Excellency's Message, and the several Letters and Papers therein referred to: Resolved unanimously,

That a Bill be prepared and brought in, To prevent the Exportation of Bread, Flour, Victuals, and Warlike Stores to Cape-Breton, or the Islands adjacent thereto, Canada, or any of the French Garrisons, Forts, or Settlements, on the River Ohio: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

L. H. J.
Liber No. 48
March 10

Mr. E. Tilghman, from the Committee of Laws, brings in and delivers to Mr. Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment, &c.

Mr. J. Goldsborough, Mr. Reynolds, and Mr. Buchanan, appeared in the House.

Mr. Dulany, from the Committee appointed to inspect the Office and Proceedings of the Commissioners, or Trustees, for emitting Bills of Credit established by Act of Assembly, brings in, and delivers to Mr. Speaker, the following Report, viz.^t

Maryland, ss.

p. 45

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly,
February 26, 1775.

Were Present,

The Honourable Col. Richard Lee, of the Upper House;

Mr. Walter Dulany,	} of the Lower House;
Mr. Michael Earle,	
Col. John Henry,	
Mr. James Edge,	
Capt. John Handy,	
Mr. Josiah Bell, And,	
Mr. John Bracco,	

Who make Choice of the Honourable Col. Richard Lee, Chairman, and Richard Dorsey their Clerk; and proceed to make the following Report:

[This report has been printed in full in the Proceedings of the Upper House on pages 13-27.]

Which said Report was Read, and the House concurs therewith. p. 52

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker a Bill, entitled, An Act for raising a Supply towards his Majesty's Service, which was thus Indorsed, "By the Upper House of Assembly, March 3, 1755, Read the first Time, and ordered to lie on the

L. H. J. Table; and (thus) By the Upper House of Assembly, March 10,
 Liber No. 48 1755, Read the second Time, and will not pass.
 March 10

Signed per Order, J. Ross, Cl. Up. Ho."

And, the following Message, viz.

By the Upper House of Assembly, March 10, 1755.

Gentlemen,

After duly considering the Bill that you were pleased to send to us, under the Title of An Act for raising a supply towards his Majesty's Service, we have thought fit to return it with a Negative, for Reasons which we hope will, in your Opinion, justify our Refusal of that Bill, and incline you to frame a less exceptionable One for the important Service, which, by this, you proposed to promote. To that Part of the Bill which directs the Issuing and making Current, the Sum of £4015:6:0: as an additional Sum to the Bills of Credit that have been made Current, and is at present in Circulation, according to a Law of this Province, enacted in the Year 1733, we object, because we are persuaded, that an Emission of such a Number of new Bills manifestly tends to depreciate the Credit of our Paper Currency, which we think it the Duty of each Branch of the Legislature, for many obvious and weighty Causes, to support: We observe also, that to answer the Purposes of this Bill, the several Sums now lent on Loan according to the Intent and Direction of the said Law of 1733, must be called in, which we apprehend would, in some Proportion, lessen the Security, or Fund, of our Currency. To repay the Loan Office Part of the £10,000 we observe, that the Bill appropriates the Fines and Forfeitures accruing from Ordinary Licences, which, had we no other Motives to object to that Part of the Bill, and to such an Appropriation, we think are too far mortgaged already to be subjected to the Payment of other Monies, of which we remember the late House of Delegates were convinced, when they insisted, about a Year since, that the Ordinary Licence Fund was too far engaged to be made liable to the Payment of so small a Sum as Five Hundred Pounds.

And, Gentlemen, As we think the Bill now returned you in many Parts improper, so we conceive that some Parts of it, if passed into a Law, would be so far from promoting the End which we suppose is designed, that hardly any Thing could be imagined more destructive thereto. As a Means of preventing the farther Encroachments of his Majesty's Enemies, on these his American Dominions, we apprehend we ought to encourage the Settlement of the back and remote Parts of this Province, and his Majesty's Lands behind us, with good British Subjects, at the same Time that his Majesty's Troops are employed against the Enemies, who have presumed to encroach on and build Fortresses within his Majesty's Territories; but we cannot prevail with ourselves to believe, that this Bill will have

any such Effect, but rather that the Imposition of an additional Duty on every English Servant into this Province, seems calculated to impede such a Settlement, and we leave to your Consideration, whether it would not be better, in such a Conjuncture as the present, to encourage the Importation of loyal English Subjects by a Bounty, than to deter them from coming among us, by laying a Duty on their Heads, at their Arrival. With respect to that Clause, that imposes an additional Duty on Criminals, we fear it may be deemed to clash with his Majesty's Authority, and that by consenting thereto, we may draw a Censure from the Throne, and run the Risque of incurring his Majesty's Displeasure.

L. H. J.
Liber No. 48
March 10

We could suggest many other Reasons against this Bill, but not doubting but what we have already offered will be sufficient to convince you of the Impropriety of the Bill in it's present Form, we hope the fervent Zeal, for his Majesty's Service, and the common Cause, that actuated you to vote such a generous Supply, will incline you to testify your sincere Intentions, by framing a very different Bill from that which we now return to you.

Signed per Order, J. Ross, Cl. Up. Ho.

Mr. Edward Tilghman, from the Committee of Laws, brings in and delivers to Mr. Speaker the following ingrossed Address, viz. p. 54

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief is and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

As your Excellency was pleased to acquaint us, by your Message of the 21st of December last, that you had the Satisfaction to learn, that the Present of Five Hundred Pounds, which was granted by this Province in May last, to be made to the Six Nations of Indians, at an Interview to be held with them at Albany, on the 14th of June last, was accepted with particular Marks of Gratitude, for the Generosity and Benevolence of the People of this Province; we cannot but presume, that the Gentlemen appointed by your Excellency to represent this Province on that Occasion, have acted the Part in that Particular for which they were commissioned, though we cannot find that Transaction made a Part of their Proceedings, by the Minutes thereof, laid before us, by your Excellency, for our Perusal.

We do not conceive those Gentlemen were intended or impow'ered to agree upon any Plan of a proposed Union of the several Colonies, to be laid before the Parliament of Great-Britain, with humble Application for an Act, by Virtue of which one General Government may be formed in America, and therefore do not think ourselves obliged to take any particular Notice of their Minutes of Proceedings relative thereto; but, as it has been laid open to our View, we cannot, consis-

L. H. J.
Liber No. 48
March 10

tent with our Duty to our Constituents, forbear to observe in general, that the carrying the said Plan into Execution would absolutely subvert that happy Form of Government which we have a Right to by our Charter, (the Freedom of which was doubtless one great Inducement to our Ancestors to leave their Friends and native Country, and venture their Lives and Fortunes among a Fierce and Savage People, in a rough uncultivated World), and destroy the Rights, Liberties, and Properties of his Majesty's loyal Subjects of this Province.

Which was read and assented to, and signed, by Order of the House, by the Honourably Speaker.

Ordered, That Mr. Murdock and Mr. Earle, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return and acquaint Mr. Speaker, that the Governor was pleased to signify that he was ready to receive the Address immediately, in the Conference Chamber.

Ordered, That Col. R. J. Henry, and Three more, do present the Address.

Mr. Bordley, from the Committee of Laws, brings in, and delivers to Mr. Speaker a Bill entituled, An Act for the Continuance of Process in Baltimore County Court; which was Read the first Time, and ordered to lie on the Table.

Mr. Matthew Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

The House adjourns till the Morrow Morning at 9 of the Clock.

March 11

Tuesday Morning, 11th March, 1755.

The House met according to Adjournment, &c.

The Bill entituled, An Act for the Continuance of Process in Baltimore County Court, was Read the second Time, and will pass, and was sent to the Upper House, by Mr. Govane and Mr. Edmondson.

p. 55 Mr. Matthew Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, the following ingrossed Address, viz.
To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Message of the 4th Instant, we cannot but express our Concern, that any Parts of the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, should be liable to the least Objection from our Lord Proprietary.

We should be sorry to find that a Regulation of Officers Fees, agreed upon after the most mature Deliberation, by the several Branches of the Legislature, and subsisting five Years, and then again, with but small Alteration, revived and continued, should be so disagreeable to his Lordship, as to induce him to dissent to an Act, the greatest Part whereof, he acknowledges to be of great Utility.

L. H. J.
Liber No. 48
March 11

We conceive the Parts objected to by his Lordship are of great Advantage to this Province, and highly conducive to the Ease and Quiet of his Lordship's Tenants. And forasmuch as his Lordship, from a Sense of the great Usefulness of that Part of the Act which relates to the Staple of Tobacco, and an affectionate Regard for his Tenants, has been induced not to signify his immediate Dissent thereto; so we, from the same Motives, as to the whole, cannot consent to a Reapeal of those Parts, or either of them. We take Leave, therefore, to acquaint your Excellency, that after full Deliberation, upon your Excellency's Recommendation, to prepare a Bill for that Purpose, we have unanimously resolved not to proceed on any such Bill.

We very thankfully acknowledge his Lordship's Goodness in presenting the Petition, or Representation, of the late House of Delegates, on Behalf of this Province, to the Lords Commissioners of Trade and Plantations, and cannot in the least Doubt, but that his Lordship's affectionate Regard for his Tenants, will incite him to pursue the most proper Measures, for obtaining the Liberty and Permission herein applied for.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker. p. 56

Ordered, That Mr. J. Goldsborough and Mr. Hawkins, do acquaint his Excellency, That this House hath prepared an Address to be presented to him, and desire to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, he would receive the Address in Half an Hour's Time, in the Conference Chamber.

Ordered, That Mr. Waggaman, and Three more, do present the Address.

Mr. M. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker a Bill entituled, An Act for regulating the Rates of Carriage, and for quartering Soldiers in public Houses, within this Province, for his Majesty's Service; which was Read the first Time, and ordered to lie on the Table.

On reading and considering the Message, from the Upper House, of Yesterday; the Question was put, Whether the Bill entituled, An Act for raising a Supply towards his Majesty's Service, shall be enforced by a Message, or Not? Resolved in the Affirmative.

L. H. J.
Liber No. 48
March 11

For the Affirmative,

Reeder,	Stoddert,	Murdock,
Mills,	Moore,	Hawkins,
Hicks,	J. Goldsborough,	Lloyd,
Williamson,	M. Tilghman,	E. Tilghman,
Wallis,	Edmondson,	Casson,
Hynson,	Edge,	Bracco,
Hammond,	Gray,	Scarborough,
Hall,	Buchanan,	Evans,
Gassaway,	Govane,	Crabb,
J. Mackall,	Earle,	Beall,
Reynolds,	Baker,	Sprigg.
Smallwood,	Ward,	

[35]

For the Negative,

Gresham,	Waggaman,	J. Henry,
R. Henry,	Bordley,	J. Dennis, junr.
J. Dennis, senr.	Dulany,	

[8]

Ordered, That the Committee of Laws do prepare and bring in, an Answer to the Message of the Upper House of Yesterday.

The House adjourns till 2 of the Clock.

Post-Meridiem.

The House met according to Adjournment, &c.

Col. Benjamin Tasker, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the Continuance of Process, in Baltimore County Court; Indorsed, "By the Upper House of Assembly, March 11, 1755, Read the first and second Time, by an especial Order, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho."

p. 57 Which Bill was Read here, and passed for Ingrossing.
The House adjourns till the morrow Morning at 9 of the Clock.

March 12

Wednesday Morning 12th March 1755

The House met according to Adjournment, &c.

Major Hall, from the Committee of Laws, brings in, and delivers to Mr. Speaker, an Ingrossed Bill, entituled, An Act for the Continuance of Process in Baltimore County Court; which was read and assented to, and sent to the Upper House, by Mr. Edward Tilghman and Mr. Buchanan.

The Bill entituled, An Act for regulating the Rates of Carriage, and quartering of Soldiers, in public Houses, within this Province, for his Majesty's Service, was Read a second Time, and will pass, and was sent to the Upper House, by Col. J. Henry, and Mr. J. Dennis, junr.

L. H. J.
Liber No. 48
March 12

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Col. Hammond, from the Upper House, delivers to Mr. Speaker a Petition of George Parker, of Charles County, praying Leave to bring in a Bill, To aid the Omission of Recording certain Deeds, for a Tract of Land called Wheeler's Adventure, by the late Deputy Clerk of Prince George's County; Indorsed, "Referred to the Consideration of the Lower House of Assembly;" which being here Read, Ordered, That Mr. J. Goldsborough, Mr. Murdock, Mr. Stoddert, and Mr. Hawkins, be a Committee, from this House, to make Enquiry into the Facts therein set forth, and Report the same.

On reading the Petition of John Gassaway, of Anne Arundel County, referred here, from the Upper House: Ordered, That Mr. J. Goldsborough, Mr. Murdock, Mr. Stoddert, and Mr. Hawkins, be a Committee, from this House, to make Enquiry into the Facts therein set forth, and Report the same.

The House adjourns till the morrow Morning at 9 of the Clock.

Thursday Morning, 13th March, 1755.

March 13

The House met according to Adjournment, &c.

Mr. Murdock, from the Committee appointed to enquire into the Facts contained in the Petition of George Parker, of Charles County, brings in, and delivers to Mr. Speaker, the following Report, viz.^t

By the Committee appointed, by the Honourable the Lower House of Assembly, to enquire into the Facts set forth in the Petition

of Mr. George Parker, March 13, 1755.

Your Committee having examined the authentic Copies of several Deeds, and Instruments of Writing, referred to in the said George Parker's Petition, do find, That a Patent for seventy-six Acres of Land, called Wheeler's Adventure, was, originally on the first Day of June, in the Year 1687, granted unto a certain John Wheeler, of Charles County. That by a Copy of a Deed from the Records of Prince George's County, under Seal, duly acknowledged, bearing Date the sixth Day of January, in the Year 1698, the said seventy-six Acres of Land was sold, and conveyed, by the said John Wheeler, to William Hutchison, of Prince George's County, and that the

p. 58

L. H. J. Alienation Fine for the same, was paid the seventh Day of April
 Liber No. 48 following. That the said Deed was recorded among the Records of
 March 13 Prince George's County, as appears by a Certificate on the said Deed
 as follows, viz.

The before written Deed, with the Endorsements, was put upon
 Record the Day of Annoq; Dom.

That by a Paragraph of the said William Hutchison's Will, the said seventy-six Acres of Land was devised by him to his Daughter Elisabeth. That the Petitioner did Intermarry with the said Elisabeth, as suggested in the Petition. That by Deeds of lease and Release, bearing Date the first and second Day of March, in the Year Seventeen-hundred and forty-seven, the said George Parker, and Elisabeth his Wife, conveyed the said seventy-six Acres of Land to Mr. Basil Waring, of Prince George's County, and that the said Basil Waring afterwards, by Deeds of Lease and Release, dated the third and fourth Day of March, in the same Year, reconveyed the Premises, to the said George Parker in Fee.

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, William Wilkins, Clerk.

Which was Read, the House concurs therewith, and Leave is given to the Petitioner to bring in a Bill according to Prayer.

Mr. Murdock, from the Committee appointed to enquire into the Facts contained in the Petition of John Gassaway, of Anne Arundel County, brings in, and delivers to Mr. Speaker, the following Report. By the Committee appointed, by the Honourable the Lower House of Assembly, to enquire into the Facts set forth in the Petition of Mr. John Gassaway, of Anne Arundel County, Administrator of Issac Johns, Mariner. March 13, 1755.

Your Committee having examined the Deed, and other Papers annexed and referred to, in the said Petition, Do find the Facts to be true as therein inserted; which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, William Wilkins, Clerk.

Which was Read, the House concurs therewith, and Leave is given to the Petitioner to bring in a Bill according o Prayer.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Waggaman, Col. Scarborough, and Capt. Evans, have Leave to go Home.

A Bill entituled, An Act to aid the defective Entry of the late Deputy Clerk of Prince George's County, in the Recording of a Deed of Bargain and Sale, from John Wheeler, to William Hutchison; Was Read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. Stoddert and Mr. Hawkins.

L. H. J.
Liber No. 48
March 13
p. 59

The House adjourns till the morrow Morning 9 of the Clock.

Friday Morning, 14th March, 1755.

March 14

The House met according to Adjournment, &c. All appeared as Yesterday, except Mr. Waggaman, and Col. Scarborough, and Capt. Evans.

A Bill entituled, An Act to impower and direct the Clerk of Baltimore County Court, to Record among the said County Records, a Deed of Bargain and Sale from Isaac Johns, deceased, to Robert Adair; was Read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Major Hall, and Mr. Beall.

The following Message, viz.

By the Lower House of Assembly, March 14, 1755.

May it please your Honours,

We are much concern'd to find, that after so long Consideration of the Bill sent your Honours by this House, on the first Instant, under the Title of An Act for raising a Supply towards his Majesty's Service, you have thought fit, with your Message of the 10th, to return it with a Negative; and that with Reasons, which instead of inclining us to form any other, rather convince us of the Propriety and Utility of that Bill, and that your Refusal of it in our Opinion is not justified.

We must presume, cou'd your Honours have found any Reasons to evince, that the issuing and making current £4015:6:0 in the Manner proposed in our Bill, manifestly tended to depreciate our Paper Currency, (the Credit of which, we agree, ought to be supported by each Branch of the Legislature, for many obvious and weighty Reasons), you wou'd have given them to us, instead of your bare Persuasion to that Purpose. However, being desirous this Matter shou'd appear in its true Light, we must observe, that as the Sum above mentioned, (admitting it to be all issued on one Draught, which can hardly be supposed), will only increase the principal Stock of Paper Currency, until the Sum of £5984:14:0 shall be paid into the Office, including about £1000 now therein unappropriated, which by Means of the Bill your Honours have this Session passed, For speedily calling in the Interest Money due to the Province on Loans,

L. H. J.
Liber No. 48
March 14

and the several Funds appropriated to that Purpose, must undoubtedly be done in a few Months; after which all Monies that shall be paid into the Office are to be retained, and, at each respective Session of Assembly after the Payment thereof, burnt, until the Sum of £4015:6:0 shall be destroyed; we are at a Loss, to conceive, how so small an Increase of the principal Stock, and that for so short a Time, and without any Manner of Alteration of the original Plan, upon which the Paper Currency was establishd and emitted, shou'd in the least depreciate it.

p. 60 We cannot see the Necessity of calling in the several Sums now out on Loan to answer the Purposes of the Bill, and if there were any, the Reasons for your Apprehension, that it wou'd in any Proportion lessen the Security or Fund of our Currency, are beyond our Conception, as your Honours have already, this Session, pass'd a Bill, (and we must presume, without the least Apprehension of that Kind), for the speedy calling in the Interest due to the Province, on all Sums out on Loan, which, in its Consequences, will probably bring in several of the principal Sums with it.

Your Objection, that the Ordinary Licence Fund is too far mortgaged to be subjected to the Payment of other Monies, might indeed have some Weight, if the several Sums of Money heretofore granted, and paid out of the Loan Office, were to be replaced therein by that Fund only; but if your Honours will be pleased to consider, that by a late Act for his Majesty's Service, and this Bill, several new and additional Duties, Imposts, and Taxes are laid, which, together with the Ordinary Licence Fund, will run annually, upon the most moderate Calculation, the Sum of £2000 you must surely be convinc'd that these several Duties, together with that Fund, will be more than sufficient to replace all the Monies heretofore, and by this Bill, proposed to be issued and paid out of the Loan Office, by the Time of sinking our Paper Currency, that the Public can suffer no Loss by Means of the Monies not being replaced by that Time, and that therefore the Fines and Forfeitures accruing on Ordinary Licences are not too far mortgaged. We shall not now take Notice of the Irregularity of your Remark on a Message of the late House of Delegates, but cannot help remembering that your Honours, in July last, were fully convinced, that the Ordinary Licence Fund was not too far engaged to be made liable, with other Duties, to the Payment of so large a Sum as £6000 and here we must observe, that as you then passed an Act for his Majesty's Service, by which the Ordinary Licence Act was expressly continued, and the Monies arising from thence appropriated, in the same Manner that is proposed by the present Bill, we can't conceive what other Motives you can now have to object to this Appropriation of them, but since you are pleased to tell us you have, we must presume they are of greater weight than

what you have already urged, and perhaps those on which you principally found your Objection to this Part of our Bill.

L. H. J.
Liber No. 48
March 14

And, may it please your Honours, in return for your Opinion, that the Bill is in many Parts improper, and that some Parts of it, if passed into a Law, would be so far from promoting the End which you suppose is designed, that hardly any Thing could be imagined more destructive thereto, we can only give you our Opinions, that it is in every Part proper, and if passed into a Law, would be so far from being destructive of the Ends we suppose designed by all of us, that hardly any Thing could be imagined more conducive thereto. p. 61

Our own Interests will always direct us in some Measure, to encourage the Settlement of the back and remote Parts of this Province, and we are confident, his Majesty's constant Attention to his most remote Interests, will induce him to encourage that of his Land behind us, with good British Subjects, as a Means of preventing the further Encroachments of his Enemies on these his American Dominions, at the same Time that his Troops are employed against them; and we cannot prevail on ourselves to believe, that this Bill will have any Effect to the contrary, or seems in the least calculated to impede such a Settlement. And we leave it to your Honours Consideration, whether it can be reasonably expected that the People of this Province should pay a Bounty towards the Settlement of his Lordship's uncultivated Lands; and whether the Duty of 5s. per Poll, imposed by this Bill, on the Importers of Indented Servants, can have any Tendency towards deterring such Servants from coming among us, as they are not in any Manner interested in the Payment of the Duty.

We cannot but be surprized at your fear, that the Clause for imposing an additional Duty on Convicts, (to be applied for his Majesty's Service), may be deemed to clash with his Majesty's Authority, and that by consenting thereto, you may draw a Censure from the Throne, and run the Risque of incurring his Majesty's Displeasure; as the Persons who contract for the Transportation of those Criminals will be amply rewarded, notwithstanding that Duty, by the Allowance made by Act of Parliament, for Payment of their Passages, and the high Prices they sell them to the Inhabitants of this Province.

We could on our Parts if it were regular, or they were wanting, suggest many Reasons in support of our Bill, but we are persuaded we have already given such Answers to your Objections against it, as cannot fail of convincing you of the Propriety thereof, in its present Form. And we hope our fervent honest Zeal for his Majesty's Service, and the Common Cause, which has repeatedly actuated us to vote such generous Aids towards rendering effectual his Royal Intentions, will be no longer suppressed by your Honours Nonconcurrency with the Bill, we so long since formed for that very desir-

L. H. J. able End; and once more send up to you, as a clear Testimony
 Liber No. 48 to all the World of the Sincerity of our Designs on this important
 March 14 Occasion.

p. 62 And now, may it please your Honours, insisting that our present Concession, in answering your several Objections to our Bill, shall not be drawn into Precedent, or any Way construed as derogatory to our ancient and undoubted Right in Case of all Bills, for Grants of Aids or Supplies to direct, limit, and appoint in such Bills, the Ends, Purposes, Considerations, Conditions, Limitations, and Qualfications of such Grants, which ought not to be changed by the Upper House; we sincerely hope, our earnest Desires to testify our Loyalty to the best of Kings on the present intended Expedition, (in which it must be acknowledged we are more remotely concerned, than almost any of his Subjects on this Continent, though we are willing so largely to contribute thereto), will not be frustrated by your Honours; and that you will no longer continue his Excellency our Governor under the present disagreeable Necessity of burthening the People, and incommoding us with such frequent Calls of Assemblies, calculated to compel us into a Bill of another Form, contrary to our reiterated and almost unanimous Determinations, and destructive to the Interests, and disagreeable to the Inclinations, of our Constituents.

Had your Honours pointed out any formal Improprieties, or Inconsistencies, in the Bill, we should readily have found Means to have altered them, still retaining Substantials.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, by Mr. Tilghman and Mr. Sprigg.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to aid the defective Entry of the late Deputy Clerk of Prince George's County, in the Recording of a Deed of Bargain and Sale from John Wheeler to William Hutchison; Indorsed, "By the Upper House of Assembly, March 14, 1755, Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho."

And, the Bill entituled, An Act to impower and direct the Clerk of Baltimore County Court, to record among the said County Records, a Deed of Bargain and Sale, from Isaac Johns, deceased, to Robert Adair, Indorsed, "By the Upper House of Assembly, March 14, 1755. Read the first and second Time, by an especial Order, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho."

Which said Bills were here severally Read, and passed for Ingrossing.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridien.

L. H. J.
Liber No. 48
March 14

The House met according to Adjournment, &c.

Ordered, That Col. J. Henry, Mr. Bracco, and Mr. Casson, be added to the Committee for enquiring into the Accounts, and Vouchers, relating to the Disposal of the Sum of £6000, granted by Act of Assembly, for his Majesty's Service. p. 63

Mr. E. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act for preventing the Importation of German and French Papists, and Popish Priests and Jesuits, into this Province, and of Irish Papists, by Way of Pennsylvania, or the Government of New-Castle, Kent and Sussex on Delaware.

On Reading the said Bill the first Time, the Question was put, Whether the Masters of Vessels importing German and French Papists, &c. shall be obliged to enter their Vessels at the Port of Annapolis, and not elsewhere within this Province, or Not? Resolved in the Affirmative.

For the Affirmative,

Reeder,	Reynolds,	Baker,
Hicks,	Stoddert,	Hawkins,
Wallis,	R. Henry,	Lloyd,
Hynson,	J. Dennis, senr.	E. Tilghman,
Hammond,	M. Tilghman,	Casson,
Carroll,	Edmondson,	Bracco,
Hall,	Gray,	J. Dennis, junr.
Gassaway,	Govane,	Crabb,
J. Mackall,	Earle,	Beall. [27]

For the Negative,

Williamson,	Moore,	Buchanan,
Gresham,	J. Goldsborough,	Bordley,
Smallwood,	Edge,	J. Henry. [9]

The said Bill was Indorsed, Read the first Time, and ordered to lie on the Table.

The House adjourns till the morrow Morning at 9 of the Clock.

Saturday Morning, 15th March, 1755

March 15

The House met according to Adjournment, &c.

Col. R. J. Henry, Mr. Dennis, senr. and Mr. Dennis, junr. have Leave to go Home.

L. H. J.
Liber No. 48
March 15

An ingrossed Bill entituled, An Act to impower and direct the Clerk of Baltimore County Court to record, among the said County Records, a Deed of Bargain and Sale, from Isaac Johns, deceased, to Robert Adair; was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by Mr. Mills and Mr. Baker.

Mr. Murdock, from the Committee of Grievance, &c. brings in, and delivers to Mr. Speaker, an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

p. 64 An ingrossed Bill entituled, An Act to aid the defective Entry of the late Deputy Clerk of Prince George's County, in the Recording of a Deed of Bargain and Sale, from John Wheeler, to William Hutchison; was read and assented to, and sent to the Upper House, with the Paper Bill, by Mr. Smallwood and Mr. Stoddert.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. J. Goldsborough, from the Committee of Grievances, &c. brings in, and delivers to Mr. Speaker, the following ingrossed Address, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency.

We, the Delegates of the Freemen of Maryland, humbly conceive, that it is the peculiar Privilege of British Subjects to be under the Controul and Government of Laws, calculated and framed, by the Legislature, for the Conservation of their Rights and Liberties, and that every Attempt that has the most remote Tendency to infringe or violate them, justly called for an Enquiry and a due Representation. This being premised, we flatter ourselves, that we shall be sufficiently justified, in the Liberty we take to lay before your Excellency a Report from the Committee of Grievances, and Courts of Justice, against John Rawlings, a Magistrate of Frederick County, with the Papers thereto annexed, for your Examination, more especially, as it is evident, from Testimony given before us, and upon a full Enquiry into the whole Affair, that his Passions and Prejudices have greatly influenced his Determinations; we therefore humbly request, that your Excellency will take this Matter into your Consideration, and, in order to prevent Evils of the like Kind for the future, do therein as to your Excellency shall seem right and just.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. John Goldsborough and Mr. Crabb, do acquaint his Excellency, That this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, that he would receive the Address in Half an Hour's Time, in the Conference Chamber.

L. H. J.
Liber No. 48
March 15

Ordered, That Mr. John Goldsborough, and Three more, do present the Address.

The Bill entituled, An Act for preventing the Importation of French and German Papists, &c. was read the second Time, and will pass, and was sent to the Upper House, by Mr. Bordley and Mr. Edmondson.

Mr. Matthew Tilghman, from the Committee of Laws, brings in and delivers to Mr. Speaker, a Bill entituled, An Act to prevent the People of this Province from supplying the French, or their Indian Allies, with Ammunition, Warlike Stores, or Provisions of any Kind; which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. M. Tilghman, and Mr. Earle. p. 65

The House adjourns till Monday Morning at 9 of the Clock.

Monday Morning, 17th March, 1755.

March 17

The House met according to Adjournment, &c. All appeared as on Saturday, except Mr. Hicks, Mr. J. Mackall, and Mr. Buchanan.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Col. Hammond, from the Upper House, delivers to Mr. Speaker a Petition of Jonas Green, Executor of the last Will of Thomas Sparrow, deceased; Indorsed, "By the Upper House of Assembly, March 17, 1755, Referred to the Consideration of the Lower House of Assembly."

Which Petition was here Read, and ordered to lie on the Table.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act to prevent the People of this Province from supplying the French, or their Indian Allies, with Ammunition, Warlike Stores, or Provisions of any Kind; Indorsed,

"By the Upper House of Assembly, March 17, 1755, Read the second Time and will pass, with the following Amendments; In the first and second Lines of the first Page, leave out the Words, (more avaricious and voracious after unjust Gain, than affectionate to the Interest of their Country, in supplying) and insert the Words,

L. H. J.
Liber No. 48
March 17

do supply; in the third Line of the same Page, leave out the Words, out of this Province; after the Words the same, in the 8th Line of the same Page, to the Word appointed, in the 18th Line of the same Page, to be left out, and the following inserted, That from and after the End of this Session of Assembly, for and during the Continuance of this Act, it shall not be lawful for any Person or Persons whatsoever, within this Province, to export in any Ship or Vessel out of this Province, any Ammunition, Warlike Stores, or Provisions, of any Kind or Denomination whatsoever, except for the necessary Use of such Ship or Vessel, without first entering into Bond, to the Naval Officer of the Port where he or they shall clear out their Vessel or Vessels, with good and sufficient Security, unto the Right Honourable the Lord Proprietary of this Province, in the Sum of Five hundred Pounds, Sterling Money of Great-Britain, p. 66 with Condition to the same annexed, that he or they shall and will land, deliver, and unload, the said Ammunition, Warlike Stores and Provisions, at some Port or Place within his Majesty's Dominions, and produce a Certificate thereof, to the Naval Officer taking such Bond, within Twelve Months after such Exportation, (which said Naval Officer is hereby authorized and required to take such Bond before he clears the said Ship or Vessel), from the Chief Officer of the Customs of such Port, or if it shall be at a Port where there is no Officer of the Customs, then from the Chief Magistrate, that all such Ammunition, Warlike Stores and Provisions, have been landed accordingly; and in Case any Person or Persons shall presume, contrary to the Tenor of this Act, to carry or transport, or cause to be carried and transported, in any Ship or Vessel, out of this Province, any such Ammunition, Warlike Stores or Provisions, of any Kind or Denomination whatsoever, without giving such Bond as by this Act is required, such Person or Persons shall forfeit the full Value of such Ammunition, Warlike Stores and Provisions, of what Denomination soever the same be, as also the Ship or Vessel transporting or carrying the same, with her Sails, Rigging, Anchors, Cables, Guns, Boats, and all other Materials to her belonging, to the Right Honourable the Lord Proprietary, for the Uses and Purposes in this Act herein after directed and appointed.

Signed per Order, J. Ross, Cl. Up. Ho."

The House adjourns till the morrow Morning at 9 of the Clock.

March 18

Tuesday Morning, 18th March, 1755.

The House met according to Adjournment, &c. All appeared as Yesterday, except Mr. Bordley.

The House adjourns till 2 of the Clock.

Post-Meridiem.

L. H. J.
Liber No. 48
March 18

The House met according to Adjournment, &c.

The Petition of Jonas Green, Executor of the last Will of Thomas Sparrow, deceased, was read and referred to the Consideration of the next Session of Assembly.

Mr. Williamson, from the Committee appointed to examine the Accounts relating to the Disposal of £6000 granted by Act of Assembly

Delivers to M^r Speaker the following Report viz.^t

By the Committee appointed by the Honourable the House of Delegates for the Examination of the Accounts and Papers relating to the Disposal of the Sum of £6000. granted by Act of Assembly for his Majesty's Service.

Your Committee having Examined the several Accounts and Papers relating to the Disposal of the £6000. granted by Act of Assembly for his Majesty's Service in July Last, take Leave to observe that in the Accounts N^o 1 and 2. given in by Colonel Cresap, there is a Charge made of £16:19:3. for Carriage of 51. Bushels of Salt (from Blandensburgh to Old Town.) more than from any of the Accounts now before them appears to have been bought.

That in the Same Account N^o 1 there is a Charge made for 1500. Bushels of Wheat, 51. Bushels Whereof is said to be Damaged by Water of which we have No further Account, the remaining 1449. Bushels of that Account produces 42000^{lb} of Flour, but Your Committee are of Opinion the same must Yield a much larger Quantity and they Conceive themselves Justified in that Opinion, by a Computation that 2½ Bushels of Wheat will afford 100.^{lb} of Flour Clear of Bran, the Truth Whereof is Confirmed by the Daily Experience of those Concerned in that Manufacure allowing the same to be Ground and Boulted for the Bran as Customary by which Computation it will appear that the aforesaid Quantity of Wheat produces 57960^{lb} of Flour Exclusive of the Damaged Wheat, and that the said Cresap ought to Account for a further Quantity of 15960^{lb} of Flour on 399. Bushels of Wheat and that the Addition of 15 p Cent (for Shrinkage & Loss in weighing) on the Wheat Beef and Pork Charged in the said Account is without Reason or any Just Foundation as they Conceive. That a Charge is Likewise made in the same Account of £59:6:7 for Carrying 29667.^{lb} of Flour from Conigocheeg to Old Town by Water, at 4/p Hundred and from thence by Land to the New Store at 1/6 p Hundred amounting to £22:5:0 and for Carrying 16400^{lb} of Flour from Conigocheeg to New Store by Land at 7/6 p Hundred the Sum of £61:10:0. all which Charges and several other Articles for Carriage in the same Account Your Committee apprehend are Extravagant particularly the Charge of £8:0:0 for the Carriage of 100 Bushels of Wheat

L. H. J.
Liber No. 48
March 18

Your Committee also observe in Cresaps Account N.^o 3. he Charges for 37. Blankets Delivered Mess^{rs} Fortye and Lynn at 16/-Each which (allowing to be of the Same Quality with those bought at Annapolis) are overcharged upwards of 100 p Cent and that sundry other Articles in the Said Account for Goods appear to them very unreasonable.

Your Committee also find in Col^o Cresaps said Account N.^o 3 the Sum of £22: 12: 0. Charged Cash paid for Slaughtering, cutting up and Salting the first time 226 Cattle at 2/. a Head yet by the same Account or any other now before them it Does not appear there were any More than 177 Live Cattle bought for the Present Expedition 60 Whereof as appears by the Same Account have not been Slaughtered in which Article there is an overcharge of £10: 18: 0. They are also of Opinion that the storage charged in that and the Account N^o 1. and 2. are much too high, if not the same Article.

Your Committee further observe that in the abovementioned Accounts there are several sums of Money Charged as paid to Sundry Persons for Services some on Account of the present Expedition for which no Vouchers are Laid before them and they are of Opinion that the above Accounts Delivered in by Col^o Cresap are Stated in a Dark Confused and unintelligible Manner.

p. 68 Your Committee also apprehend that Capt. Dagworthy and Lieutenant Fortyes Accounts of their Expences in Enlisting and Recruiting are Very Extraordinary and are of Opinion that the service might have been performed at a much Less Expence to the Publick and also observe that the Necessary Vouchers to Support the same Accounts have not been Laid before them and that by the Accounts now before Your Committee of the Charge of Enlisting Victualling and Transporting 47 Men Since the Maryland Company was Completed there appears only £169: 3: 6. to have been Expended out of £200. Delivered to M^r Fortye for that Service as p General Account.

Your Committee Likewise observe a Credit in Col^o Cresaps Account of £95: 16: 7 for 11499¹/₂^{lb} Raw Hides and £1: 10: 0 for 4 pair of Shoes which are not Deducted out of the Debet of said Account nor Credited in the General Account.

Your Committee also find that when the Accounts now before them are properly Settled and the Pay of the Company till the 24.th August next included there will Remain a Balance unexpended of the £6000. granted as aforesaid.

All Which is humbly Submitted to the Consideration of your Honble House

18.th March 1755.

Signed p order B: Nicholson C^{lk}

Which was read and ordered to Lie on the Table.

The House Adjourns 'till the Morrow Morning at 9. a Clock.

Wednesday Morning, 19th March, 1755.

L. H. J.
Liber No. 48
March 19

The House met according to Adjournment, &c.

Mr. E. Tilghman hath leave of the House to go Home.

On Motion, Resolved, That any Member who doth depart from the House this Session, without having obtained Leave, shall have no Allowance made him in the Journal of Accounts, for Attendance this Session.

On Motion, The Question was put, That the Members who have left the House this Session, without Leave, be sent for, by the Serjeant at Arms attending this House? Resolved in the Negative.

For the Negative,

Reeder,	Smallwood,	Baker,
Mills,	Stoddert,	Casson,
Wallis,	Moore,	J. Henry,
Hammond,	Edmondson,	Beall,
Gassaway,	Gray,	Sprigg.
Reynolds,	Govane,	[17]

For the Affirmative,

Gresham,	J. Goldsborough,	Hawkins,
Williamson,	M. Tilghman,	Dulany,
Hynson,	Edge,	Lloyd,
Carroll,	Earle,	Bracco,
Hall,	Murdock,	Crabb. [15]

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for raising a Supply towards his Majesty's Service, and the following Message, viz.

By the Upper House of Assembly, March 19, 1755.

Gentlemen [then follows a message from the Upper House printed in full on pages 33-5].

The House took into Consideration, the Report relating to the Disposal of the Sum of £6000 &c. and referred the same to the Consideration of the next Session of Assembly. p. 71

The House adjourns till 2 of the Clock.

Post-Meridiem.

The House met according to Adjournment, &c.

On reading and considering the Message from the Upper House of this Day, brought here by Col. Lloyd; Ordered, That the Committee of Laws do prepare and bring in an Answer thereto.

The House adjourns till the morrow Morning at 9 of the Clock.

L. H. J.
Liber No. 48
March 20

Thursday Morning, 20th March, 1755.

The House met according to Adjournment, &c.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act to prevent the Importation of German and French Papists, &c. Indorsed, by the Upper House of Assembly 15 March 1755 Read he first Time and ordered to Lie on the Table. Signed p Order J. Ross Cl: Up: Ho.

“ And thus by the Upper House of Assembly, March 20, 1755, Read the second Time and will pass, with the following Amendments; [Printed in full in Upper House Journal on pages 36-7.]

p. 72 George Plater, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act for regulating the Rates of Carriages, and Quartering Soldiers, in Public Houses within this Province, for his Majesty's Service; Indorsed,

p. 73 “ By the Upper House of Assembly, March 20, 1755, Read the second Time and will pass, with the following Amendments; In the 11th Line of the first Page, after the Word Expedition, leave out, to the Westward or North-Westward of this Province; after the Word Forces, in the 14th Line, leave out, to any Part or Place within this Province; after the Word aforesaid, in the 16th Line, insert while they shall continue in the said Province.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till the morrow Morning at 9 of the Clock.

March 21

Friday Morning, 21th March, 1755.

The House met according to Adjournment, &c.

On reading and considering the Amendments proposed by the Upper House of Assembly, to the Bill entituled, An Act for preventing the Importation of German and French Papists, and Popish Priests, and Jesuits, into this Province; and of Irish Papists, by Way of Pennsylvania, or the Government of New-Castle, Kent, and Sussex, on Delaware;

This House doth not agree thereto.

Ordered, That the Bill entituled, An Act for preventing the Importation of German and French Papists, &c. be printed among the Proceedings of his House this Session; which Bill was in the following Words, viz.

An Act for preventing the Importation of German and French Papists, and Popish Priests and Jesuits, into this Province; and of Irish Papists by Way of Pennsylvania, or the Government of New-Castle, Kent, and Sussex, on Delaware.

L. H. J.
Liber No. 48
March 21

Whereas it appears to this General Assembly, that many German and French Papists, and several Popish Priests, and Jesuits, have been lately imported into this Province, who have immediately resorted to the Western Frontiers thereof, and there settled for the Convenience of taking up vacant Lands, which are at this Time scarcely elsewhere to be had; that from their Vicinity to the Fortifications which the French have lately presumed to erect on the River Ohio, it is too probable they will not only give his Majesty's Enemies constant secret Intelligence of the Situation of Affairs within this Province, and privately assist them all in their Power, but in Case of an Attack upon this Part of his Majesty's Dominions, would doubtless turn their Force, in Conjunction with the French and their savage Allies, against his loyal Protestant Subjects.

And whereas the insatiable Desire of universal Conversion to their own religious Opinions, calculated for the Establishment and Support of Tyranny and Slavery, both Ecclesiastical and Civil, must excite the constant unwearied Endeavours of the said Popish Priests, and Jesuits, to accomplish their most impious Designs; all which might endanger the Subversion of the happy Constitution of the Government of this Province, and the Loss of the Liberties and Properties of the good Protestant People thereof:

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Masters of Ships and Vessels, and Others, importing German or French Passengers, or Servants, into this Province, shall bring their Vessels off, and make their Entry, at the Port and City of Annapolis, and not elsewhere, and shall, at the Time of such Entry, pay unto the Naval-Officer of the said Port, for the Time being, the Sum of Five Pounds Current Money, per Poll, for every German or French Papist (Priests excepted), and Two hundred Pounds for every Popish Priest, or Jesuit, on Penalty and Forfeiture of Twenty Pounds Current Money, for every German or French Papist (Priests excepted), and Four hundred Pounds for every such Priest, or Jesuit, as aforesaid, that shall be by him or them concealed, at the Time of his or their Entry, as aforesaid, One half of the said Fines to be applied to the replacing the Sum of Six thousand Pounds, granted for his Majesty's Service, on the present intended Expedition against the French, and their Allies on this Continent, by an Act entituled, An Act for his Majesty's Service, and the other half thereof to the Informer, or him or them that shall

L. H. J.
Liber No. 48
March 21

sue for the same; to be recovered in any Court of Record within this Province, that shall have Jurisdiction thereof, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed.

And be it further Enacted, That the said Naval-Officer shall, and he is hereby required to procure a Translation of the Oaths appointed by Act of Assembly, to be taken to the Government, and the Test, into the German and French Languages, and the same keep in his Office, which Oath, so translated, shall be administred to every German or French Passenger, or Servant, so to be imported, execept Children under the Age of fourteen Years (to be adjudged at the Discretion of the Naval-Officer), by the said Naval-Officer, provided he understands the German or French Languages, or either of them, as the Case may require, and if he does not, by some Protestant Person to be by him appointed, who can speak the English and German or French Language, as the Case may require, in Presence of the said Naval-Officer, the said Person, so to be appointed, having first taken the several Oaths, as aforesaid, to be administred by the said Naval-Officer; and an Oath, well and truly to administer the same to the several Passengers, and Servants, imported as aforesaid, and signed the Oath of Abjuration and the Test; and that each Passenger, or Servant, so imported as aforesaid, who shall take the said Oaths, shall, in the Presence of the said Naval-Officer, sign the Oath of Abjuration and the Test, to be by him kept as aforesaid, and all and every such German and French Passengers, or Servants, who shall refuse to take the Oaths, and sign the Oath and Test, as aforesaid, shall be, and they are hereby deemed and declared Papists, within the Intent and Meaning of this Act, for whom the Importer or Importers shall be obliged to pay the Duty aforesaid.

And whereas there is too much Room to suspect that the aforementioned Papists, Priests and Jesuits, in order to evade this Act, may be imported into or landed in some of the neighbouring Governments, or in some other Place than herein before directed, and transport themselves, or be transported, from thence into this Province; Be it therefore Enacted, by the Authority, Advice, and
p. 75 Consent aforesaid, That every free German, or French Person, coming into this Province to reside, except by Importation and Entry, as before herein mentioned and directed, shall, within one Month after his coming in, repair to a Justice of the Peace, and if by the said Justice adjudged to be of the Age of fourteen Years, take the Oaths aforesaid, and sign the Oath of Abjuration and the Test, or shall be deemed and taken to be a Papist, within the Intent and Meaning of this Act, and shall immediately pay the Sum of Five Pounds if a Layman, and the Sum of Two hundred Pounds if a Popish Priest, or Jesuit, to some Justice of the Peace of the

County where he shall reside, to be paid by the said Justice yearly, to the Commissioners or Trustees aforesaid; and in Case any such German or French Papist, Layman, Popish Priest, or Jesuit, shall not pay the respective Sums aforesaid, in Manner aforesaid, he shall forfeit and pay the Sum of Ten Pounds if a Layman, and Four hundred Pounds if a Priest, or Jesuit, to be recovered and applied as aforesaid; and in Case any Master or Commander of any Ship or other Vessel, shall land, or suffer to be landed, any such German or French Passengers as aforesaid, either Freemen or Servants, in any other Port or Place than the Port of Annapolis aforesaid, before he shall have made his Entry as aforesaid, he shall forfeit and pay the Sum of Fifty Pounds, for every such Passenger so landed being a Layman, and Four hundred Pounds for every such Passenger so landed being a Priest, or Jesuit, or who shall be generally reputed on board his Vessel so to be. And if any Person so imported, or coming into this Province, as aforesaid, as a Layman, shall at any Time afterwards be discovered to be a Popish Priest, or Jesuit, or shall officiate as such, he shall forfeit and pay the Sum of Five hundred Pounds, to be recovered with Costs, in any Court of Record within this Province, by Action of Debt, Indictment, or Information, to the sole Use and Benefit of the Informer, or him, her or them, that will sue for the same, being a Protestant or Protestants, and suffer twelve Months Imprisonment, without bail or Mainprize.

L. H. J.
Liber No. 48
March 21

And whereas it is apprehended, that great Numbers of German and French Servants will be imported from the neighbouring Governments; Be it Enacted, That all Persons who shall purchase such Servant or Servants, shall, and they are hereby required to carry him or them to the next County Court, after such Purchase, in order to take the Oaths appointed by Act of Assembly to be taken to the Government, and sign the Oath of Abjuration and the Test, which shall be administred by the Clerk in open Court, in Case he understands the German or French Language, as the Case may require, and if he does not, then by some Protestant Person to be appointed by the said Court, and qualified in all Respects as herein before directed, and for every Servant refusing to take the Oaths, and subscribing the Oath of Abjuration and Test, the said Purchaser shall pay, immediately on such Refusal, the Sum of Five Pounds Current Money, to the Sheriff of the said County, who shall, by the 29th Day of September, annually, render an Account of and pay the same to the Commissioners, or Trustees, for emitting Bills of Credit, established by Act of Assembly, retaining the Salary of Two Pounds Ten Shillings per Cent, and every such Purchaser neglecting to bring such Servant to Court as aforesaid, in order to take the Oaths as aforesaid, shall forfeit and pay, for every such

p. 76

L. H. J. Servant, the Sum of Ten Pounds; to be recovered and applied as
Liber No. 48 herein first before directed.
March 21

And be it further Enacted, That it shall be the undoubted Duty of the Justices of each respective County Court, to give in Charge to every Grand Jury, a strict Enquiry into all the Breaches of this Act.

And forasmuch as great Complaint has meen made to this General Assembly of the great Number of Irish Papists imported into this Province, by Way of New-Castle, on Delaware, where they are purchased and brought into this Province, and sold, to the great Disquiet of his Majesty's good Protestant Subjects of this Province in general, and particularly those of the Northern Parts, where the said Irish Papists are chiefly disposed of, and by which Means the several Laws for preventing too great an Importation of Irish Papists into this Province, are in great Measure evaded:

Be it therefore Enacted, That no Person whatever shall import, or bring into this Province, from, or by Way of New-Castle, or any other Part or Place in the Counties of New-Castle, Kent, and Sussex, upon Delaware, or from any Part or Place in the Province of Pennsylvania, any Irish Servant or Servants whatever, on Penalty and Forfeiture of Twenty Pounds, for every such Servant so by him or them imported, or brought in, as aforesaid; to be recovered and applied in the same Manner as is herein first before directed.

Provided always, That nothing herein contained shall hinder any Person or Persons who shall remove from any of the Places aforesaid, in order to settle and reside within this Province, from bringing with him, her or them, such menial Servant, or Servants, as he, she or they, shall be possessed of at the Time of his, her, or their Removal.

Provided always, and be it Enacted, That all such German or French Persons imported, or coming into this Province as aforesaid, if Quakers, shall be allowed, instead of taking the Oaths herein before directed, to affirm to the Effect thereof, before the Person by this Act impowered to administer such Oaths; and if Jews, the Oaths aforesaid shall be administered to them, by the said Person, according to the Directions of the Act of Parliament, made in the thirteenth Year of the Reign of his present Majesty King George the Second, entituled, An Act for naturalizing such foreign Protestants, and others therein mentioned, as are settled, or shall settle, in any of his Majesty's Colonies, in America; and in Case of Refusal, to be deemed Papists, within the Intent and Meaning of this Act.

p. 77

This Act to Continue for three Years and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years. And the several Indorsments thereon.

By the Lower House of Assembly 14.th March 1755
Read the first Time and ordered to Lie on the Table

L. H. J.
Liber No. 48
March 21

Signed p order M: Macnemara Cl: Lo: Ho.

And thus By the Lower House of Assembly 15 March 1755
Read the Second Time and will pass.

Signed p order M: Macnemara Cl: Lo: Ho:

By the Upper House of Assembly 15 March 1755
Read the first Time and ordered to Lie on the Table.

Signed p order Ross Cl: Up: Ho.

And thus By the Upper House of Assembly 20 March 1755

Read the Second Time and will pass with the following Amendments: [Printed in full in Upper House Journal on pages 36-7].

On Reading the Bill Entituled an Act for Regulating the Rates of Carriage and Quartering Soldiers in publick Houses within this Province for his Majestys service with the amendments proposed (By the Upper House) to be made thereto. p. 78

The Question was put Whether this House doth agree to the Amendments proposed By the Upper House to the said Bill or not.

Resolved in the Affirmative.

For the Affirmative,

Reeder,	Smallwood,	Baker,
Mills,	Stoddert,	Murdock,
Gresham,	Moore,	Dulany,
Williamson,	J. Goldsborough,	Lloyd,
Wallis,	M. Tilghman,	Casson,
Hynson,	Edmondson,	Bracco,
Hammond,	Edge,	J. Henry,
Gassaway,	Gray,	E. Tilghman.
Reynolds,	Govane,	[26]

For the Negative,

Hall,	Crabb,	Sprigg.
Hawkins,	Beall,	[5]

Which Bill was according indorsed, Read, and with the Amendments proposed, passed for ingrossing. p. 79

The Bill entituled, An Act to prevent the People of this Province from supplying the French or their Indian Allies, with Ammunition, Warlike Stores, or Provisions of any Kind; was here read, and with the Amendments proposed by the Upper House, passed for ingrossing.

L. H. J.
Liber No. 48
March 21

The following Message, viz.

By the Lower House of Assembly, March 21, 1755.

May it please your Honours,

We have considered the Objections, offered in your Message of the 19th Instant, against the Bill for raising a Supply towards his Majesty's Service, and as they are by no Means satisfactory, we have once more returned it for your Honours further Consideration, with such Reasons in support of it, as still convince us of its Propriety and Expediency, and we hope will be sufficient to remove all Objections to its passing.

Your Honours say, the Bills signed and never yet circulated, must be allowed to be of no Value at present, neither can they be uttered to the Public with any beneficial Effect, until some Act of the Legislature of this Province shall give them a Sanction; and, we say, this Bill, should it pass, wou'd be that Act of the Legislature; for be pleased to consider, that the £4015:6 now in the Office, and proposed by this Bill to be delivered out, has received, in Virtue of the Act for emitting and making current Ninety thousand Pounds, Current Money of Maryland, in Bills of Credit, all the requisites necessary to constitute it Money, it has been signed, numbered, and dated, by the Commissioners, and is Money under that Act to all Intents and Purposes, save, that the Commissioners have not Authority thereby to deliver it out: The Bill now under Consideration, were it passed into a Law, would give them that Authority, and we cannot conceive what more is necessary to make it Money, and give it equal Credit with what is now in Circulation, as by the Bill, the like Sum, of the Money now actually in Circulation, is in a short Time to be destroyed, to avoid an Increase of the capital Stock, by Means of these Bills. But if any Alteration of the Bill, in this Particular, should still appear to you necessary to give those yet incirculated Bills the same Value, and put them on the same Footing with the Money now circulating, we shall readily agree to any Amendment your Honours shall think fit to propose for that Purpose; and we must observe, that whatever Reasons you might have on this Account, to object to our Bill, they could be Reasons only for offering an Amendment, (which we hoped would have been the Effect of the Condescension in the last Paragraph of our former Message), not for your Refusal of it.

There can be no Doubt, but that the Emission of Twenty or Thirty Thousand Pounds, of new Money, would greatly depreciate the Value of the Money now current among us, because the Fund now raising to sink such Money, and which alone gives it it's real Value, would not be large enough to sink so great an Increase of the capital Stock, and consequently many of the Proprietors of the Money, at the Time of sinking, must lose that Advantage, which

they would have, if the Fund was sufficient for sinking the Whole. This indeed would be a Breach of the public Faith, and give a fatal Blow to the Value of our Currency; but how so small an Increase of the capital Stock, as £4015:6 and that for a few Months only, (to answer a present Emergency), can affect the Credit of it, we are at a Loss to conceive, and supposing, abstracted from all other Considerations, it would, yet, in the present Situation of our Affairs, we apprehend, the Increase of the Demand for Money, must undoubtedly obviate the trifling Evil that might otherwise arise from this small Emission of so short Duration; and therefore we must be still of Opinion, that the Circulating the Sum of £4015:6 as by this Bill is intended and directed, cannot in the least depreciate the Value of our Currency.

L. H. J.
Liber No. 48
March 21

We cannot agree with your Honours, that the Ordinary Licence Fund is too far mortgaged already to be laid under any further Burthen, so as to assist in answering the Purposes intended by this Bill, for that the whole Monies heretofore, and by this Bill intended to be, granted, will be fully paid in and satisfied, by that and the other Funds provided for that Purpose, in due Time; and if your Honours will take the Trouble of making a Calculation, even upon the lowest Terms, that may possibly happen, you'll be as fully convinced of it as we are. And we are unanimously of Opinion, that his Lordship's Prerogative (which we are resolved as strenuously to support, as the Interest and Privileges of the People we represent), is not in the least Degree infringed, by our now appropriating the Fines arising on Ordinary Licences, as they have been for many Years past; and if you'll look into former Laws, you'll find, that when they have been applied to any other Uses or Purposes, it has been done by the Consent of the Legislature, and we observe, that the Lord Proprietary, in the Year 1717, accepted of them as a Grant from the People, on a particular Occasion, and that with Expressions strongly insisting, that such Application cannot be made without the Assent of the Representatives of the People, in a Law; which, we hope, will sufficiently convince you, that his Lordship's Prerogative is not in the remotest Manner infringed by this Appropriation of those Fines, and that there is not the least Occasion for our entering into any Disputes or Reasoning, in a Matter which must appear so obvious to every one. But even had his Lordship a Right to such Fines, by Virtue of his Prerogative, we can see no Reason why, at this critical Conjuncture, your Honours should be against the present Application of them, in a Way strictly agreeable to what has met the Approbation of both Houses for many Years past, and even of your Honours very lately, although they may already stand engaged for some few Years to come, to replace Monies issued out and granted upon less important Occasions: And as we have no

p. 81

L. H. J.
Liber No. 48
March 21

Room to doubt of our noble Proprietor's Generosity, and good Inclinations to contribute as far as his Ancestors have done, towards rendering effectual his Majesty's Royal Intentions, for our common Security and Support, with which his Lordship's Proprietary Interest is inseparably connected, we cannot but esteem your Refusal of the Bill, on Account of his Prerogative, a Restraint upon such his Generosity and good Intentions.

Upon the whole, as we have now given your Honours an Opportunity of offering an Amendment to that Part of the Bill, the Impropriety of which, you say, is a material Objection against it; as we think you must be satisfied, that so small an Addition to the capital Stock for a few Months, and that at a Time, when the Demand for Money must be greatly increased, cannot depreciate the Value of our Currency, and as we have clearly shewn, that the Lord Proprietor, by accepting the Fines on Ordinary Licences for many Years from the People, has manifestly given up all Right, if he ever had any, to claim them by Prerogative, we shall rest the Matter here; and if your Honours shall, at this Time of imminent Danger, think fit finally to refuse this Bill, on Account of the Appropriation of those Fines, which at three several Times, on less important Occasions, have been applied in the same Manner as is now proposed, without any the least Objection from our Lords Proprietary; and if his Lordship's Claim to them by Prerogative, which at best must appear even to your Honours extremely doubtful, shall have so much Weight with you as to Occasion the Loss of this Bill, it must fail, and we shall rest satisfied with having done every
p. 82 Thing in our Power to procure it's Passage, consistently with the Rights of the People and our Privileges; and conclude, with expressing our Concern, that on so important an Occasion, nothing could avail but our giving up those Rights and Privileges, and thereby violating the sacred Trust reposed in us by our Country.

If yet, unhappily, what we have offered should fail of the much desired Effect, and it should be your Honour's final Determination, still to refuse this Bill, we hope for it speedily, that a Stop may be put to the increasing Burthen of this Session.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, with the Bill entituled, An Act for raising a Supply towards his Majesty's Service, by Mr. Lloyd, and 12 more.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Major Hall, from the Committee of Laws, brings in, and delivers to Mr. Speaker, an ingrossed Bill entituled, An Act for regulating

the Rates of Carriage, and Quartering Soldiers, in Public Houses, within this Province, for his Majesty's Service; which was read and assented to, and sent to the Upper House, with the Paper Bill, by Mr. Murdock and Mr. Hawkins.

L. H. J.
Liber No. 48
March 21

The House adjourns till the morrow Morning at 9 of the Clock.

Saturday Morning 22nd March 1755.

March 22

The House met according to Adjournment, &c.

Major Hall, from the Committee of Laws, brings in, and delivers to Mr. Speaker, an ingrossed Bill entituled, An Act to prevent the People of this Province from supplying the French or their Indian Allies, with Ammunition, Warlike Stores, or Provisions of any Kind; which was read and assented to, and sent to the Upper House, with the Paper Bill, by Capt. Williamson and Mr. Govane.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An additional Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; Indorsed, " By the Upper House of Assembly, 8 March 1755. Read the first Time and ordered to Lie on the Table. signed p Order Ross Cc: Up: Ho. March 22, 1755, Read the second Time and will pass, with the following Amendments; leave out the Title, and insert the following One, An Act for the Relief of Inspectors and Owners of Tobacco, and Others, who have suffered, by Means of extraordinary Rains and high Tides, and other Defects in the Inspection Law; and leave out all the last Page

p. 83

Signed p Order, J. Ross, Cl. Up. Ho."

Which Bill was Read here, and with the Amendments proposed, passed for Ingrossing.

The House adjourns till 2 of the Clock.

Post-Meridiem.

The House met according to Adjournment, &c.

Philip Hammond, Esq; from the Committee of Laws, brings in, and delivers to Mr. Speaker, an ingrossed Bill entituled, An Act for the Relief of Inspectors and owners of Tobacco, and Others, who have suffered, by Means of extraordinary Rains and high Tides, and other Defects in the Inspection Law; which was read and assented to, and sent to the Upper House, with the Paper Bill, by Mr. Govane and Mr. Hynson.

The House adjourns till Monday Morning at 9 of the Clock.

L. H. J.
Liber No. 48
March 24

Monday Morning 24th March 1755.

The House met according to Adjournment, &c. All appeared as on Saturday, except Mr. Wallis. The Proceedings were Read.

Mr. Bordley appeared in the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Earle hath Leave of the House to go Home.

William Goldsborough, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act for raising a Supply towards his Majesty's Service; and the following Message, viz.

By the Upper House of Assembly, March 24, 1755.

Gentlemen [then follows a long message from the Upper House printed on pages 40-3].

p. 87 His Excellency communicated to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

It having been intimated to me, that the Upper House has not been able to agree with Yours, about the Means of raising so large a Sum for his Majesty's Service, as your Vote, at the Beginning of this Session, had given me Room to expect would be granted; I take the Liberty to communicate to you a Letter, that I have lately had the Honour to receive from General Braddock, hoping it will add some Weight to Sir Thomas Robinson's Letter, which has been already laid before you, and incline you to answer, in some Measure, his Majesty's Expectations thereby made known, at least so far as to provide Victuals for such of his Majesty's Forces as may, at their Arrival, be, for a short Time, quartered in, or have Occasion to march through, this Province. Let me hope also, that you will not be averse to continuing on Foot those Men that have been already raised in this Government, and to granting a Sum of Money for that Purpose, as well as for defraying such incidental Charges, as will be occasioned by our hiring or impressing Horses, or Carriages, in this Province, to convey the Soldiers Passage, and by my Appointment of Persons, at proper Places, to carry any Dispatches between the General's Head-Quarters, and this Place, or elsewhere, as his Majesty's Service may require.

p. 88

Hor.^o Sharpe.

On reading and considering the Governor's Message of this Day: Ordered, That the Committee of Laws do prepare an Address to his Excellency thereon.

On Motion, The Question was put, Whether any Bill shall be brought in, for raising a Sum of Money for his Majesty's Service, on the Plan of the old Bill, explaining that Part relating to the new Emission, so as to give it equal Credit with the present Currency, or Not? Resolved in the Negative.

L. H. J.
Liber No. 48
March 24

The House adjourns till the morrow Morning at 9 of the Clock.

Tuesday Morning 25th March 1755.

March 25

The House met according to Adjournment, &c.

His Excellency the Governor communicated to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

In Answer to your Address that was delivered me the 15th Instant, I beg Leave to assure you, that any Representations or Requests, which you may at any Time think proper to make, shall always have their due Weight with me; but I cannot avoid intimating to you my Opinion, that the Person, whose Conduct is made the Occasion of that Address, is not so culpable as your Committee seems to have imagined. Just after I had received the Address of your House, and the Report of your Committee, Mr. Rawlings presented me the following Narrative, together with some Papers, which I have also thought proper, as they are referred to in the Narrative, to transcribe into this Message.

One Thing I must observe in Favour of Mr. Rawlings, as he has not insisted on it himself, that he was indeed applied to by a commissioned Officer, before he proceeded to issue his Warrant for that Kelly, who was represented as a Person liable to be impressed for his Majesty's Service by that late Act; and his Desire that his Conduct might be examined into, in a legal Manner, by a proper Court of Judicature, which may punish his Offence, if he has transgressed the Laws, or manifest his Innocence if he be without Offence, does not seem to betray any Consciousness of Guilt: Indeed, from the Papers that have been submitted to me, and his own Asseverations, I must confess, Gentlemen, and beg Leave to observe as much to you, that it does not, as I before hinted, appear to me, at present, that he has been guilty of any Misdemeanour whatever; although he must of Necessity have been a great Sufferer by being brought so far from his Home, and compelled to a long and expensive Attendance on your House. I assure you it is very far from my Intent or Design, to call in Question the Rights and Privileges of your House; but at the same Time, I shall regard it as my Duty, and must endeavour to preserve the Rights, Liberties and Privileges of the People, which are secured by and dependent upon, the due

L. H. J. and legal Exercise of the Laws, under our present happy Constitu-
 Liber No. 48 tion, and not suffer them to be called upon, or prosecuted out of the
 March 25 ordinary Course of Procedure: And I cannot help recommending to
 you, Gentlemen, as you sit here at a very considerable Expence to
 the Country, to forbear to meddle, for the future, with such Com-
 plaints, as are (if not groundless) relievable elsewhere, and are the
 proper Objects for the Enquiry of another Jurisdiction.

Hor.^o Sharpe.

Which was Read.

Ordered, That the Governor's Message, and the Papers thereto
 annexed, be referred to the Consideration of the next Session of
 Assembly.

The House adjourns till 2 of the Clock.

Post-Meridiem.

The House met according to Adjournment, &c.

Philip Hammond, Esq; from the Committee of Laws, brings in,
 and delivers to Mr. Speaker, an Address to his Excellency, which
 was read, approved, and ordered to be ingrossed.

The House proceeded to tax the Bill entituled, An Act to impower
 and direct the Clerk of Baltimore County Court, to record, &c.

To the Honourable Speaker,	£. 1 00 00
To the Clerk,	0 10 00

And, the Bill entituled, An Act to aid the defective Entry of the
 late Deputy Clerk of Prince-George's County, in the Recording of
 a Deed, &c.

To the Honourable Speaker,	£. 1 00 00
To the Clerk	0 10 00

Major Hall, from the Committee of Laws, brings in, and delivers
 to Mr. Speaker, the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander
 in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Message of Yesterday, we can truly say, it
 gives us the greatest Concern to find, that, after having chearfully
 voted the Sum of Ten Thousand Pounds, to be granted for his
 Majesty's Service, and sending up a Bill to the Honourable the Upper
 House, well calculated to procure the desired End, the Sincerity of
 our Intentions to answer the Expectations of our most gracious Sov-
 ereign, should be frustrated by that Bill's being returned down to us
 with a Negative.

We hope our earnest Desire to raise a Supply for his Majesty's Service, on the present Exigency, in Proportion to the Circumstances of the People, is evident from the Bill in this Session offered; and that the principal Reasons given by the Upper House for their Refusal thereof, clearly appear to arise from too near an Attachment of their Honours to his Lordship's Prerogative, as they have suffered the mere Shadow of a Claim to induce them to refuse the granting of Money, and to out-weigh the great Inconveniencies that must thereby attend our common Cause, and his Majesty's Measures, now carrying into Execution, for our Safety and Preservation.

L. H. J.
Liber No. 48
March 25

And as, under these Circumstances, we conceive our longer fitting here cannot any Way be either useful, in promoting his Majesty's Service, or agreeable to your Excellency, and must be both burthensome to the People we represent, and greatly irksome and incommodius to ourselves, we hope, as nothing now lays before us, we shall meet with your Excellency's Approbation in our Request to have an End put to the Session.

Which was read, and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. John Goldsborough, and Mr. Dulany, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, he would receive the Address on the morrow Morning, at Eight a Clock, in the Conference Chamber.

Ordered, That as often as the Clerk of the House shall deliver out Original Papers to be printed, the Printer do give his Receipt for such Papers, as a Justification for the Clerk.

The House adjourns till the morrow Morning at 8 of the Clock.

Wednesday Morning, 26th March, 1755.

March 26
p. 90

The House met according to Adjournment, &c. All appeared as Yesterday, except Mr. Earle. The Proceedings were Read.

Ordered, That Mr. J. Goldsborough, with five more, do present the Address to his Excellency.

The Governor communicated to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

Your Address delivered this Morning, seeming only to offer some Reasons why I am not, at this Time, to expect so large a Sum as you say was proposed to be granted for his Majesty's Service, at the Beginning of this Session, you will excuse me for repeating the

L. H. J.
Liber No. 48
March 26
p. 91

Purport of the Message sent you last Monday, hoping you will not continue averse to complying with the Requests therein made. As my taking any Notice of the second Paragraph of your Address, might possibly lead into Disputes, at this Time, for the Sake of expediting Business, to be avoided, I purposely wave it; conceiving that a Sum for the particular Services mentioned in my Message, with General Braddock's Letter, may be raised without having Recourse to any of the Means proposed in your other Bill: You will be pleased to observe, that Sir Thomas Robinson has more particularly recommended to us, to make some necessary Provision for those Articles, as they are of a local and peculiar Nature, and arising entirely within this Government. Such Charges, at least, his Majesty will most undoubtedly expect his Subjects of this Province readily and cheerfully to defray, thought they do not contribute to the common Fund, which it is his royal Pleasure should be established, for the Benefit of all the Colonies collectively. You must be sensible, Gentlemen, that unless you will be now prevailed on to appropriate a Sum of Money to those Uses, I shall be under a Necessity, as often as the General may make any Application to me, of meeting you again; wherefore, let me desire you to take my Message once more under Consideration, and by granting such a Supply as might be requisite for these particular Purposes, to give some actual Proof of the Sincerity of your Intentions to answer our most gracious Sovereign's Expectations, and to consult and provide for the Ease of your Constituents.

Hor.^o Sharpe.

On reading and considering the Governor's Message: Ordered, That the Committee of Laws do prepare and bring in an Address to his Excellency hereon.

Philip Hammond, Esq; from the Committee of Laws, brings in, and delivers to Mr. Speaker, an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

Ordered, That the following be entered on the Journal, as the Resolves of this House Viz.^t

Resolved, That this House have voted, on the present Occasion, from a deep Sense of Gratitude and Duty to his Majesty, an Aid proportionate to, if not beyond, the Circumstances of the Country.

Resolved, That the Ways and Means fallen upon, for raising and replacing the Sum (to be granted for that Aid) are such as wou'd best answer the Intention of the designed Grant, are most consistent with the Interest and Inclinations of the People we represent, and the most expeditious and effectual that could be thought of for raising so large a Sum.

Resolved, That the Fines arising on Ordinary Licences are, and always have been, the undoubted Right of the Country; that the Lord Proprietary of this Province, by his Prerogative, can have no Right to impose or levy, by Way of Fine, Tax, or Duty, any Sum of Money on any Person whatsoever, or take to himself an such Fine, Tax, or Duty, imposed by any Law of this Province, which now is or hereafter may expire, without the Consent of the Representatives in General Assembly.

L. H. J.
Liber No. 48
March 26
p. 92

Resolved, That the Lord Proprietary, in the Year 1717, by accepting the Fines on Ordinary Licences as a Gift from the People, under a Law, setting forth, that many tedious and chargeable Debates had happened concerning the Appropriation of 'em, which, it is mentioned in the same Law the Representatives of the good People of this Province had to that Time insisted coul'd not be made without their Assent thereto in a Law, and which the Delegates and Representatives as aforesaid, in that General Assembly, cou'd not depart from, did thereby consequentially Disclaim all Pretensions of Right to those Fines, by Prerogative, and by accepting them for many Years under the Continuance of that Act, did Acquiesce in the Right of the People to dispose of 'em.

Resolved, That the Message from the Upper House, of the 24th Instant, in the Part contending that the Emission of Four Thousand and Fifteen Pounds Six Shillings, according to the Intention of the Bill sent up by this House, as proposed to be amended (if an Amendment were necessary) in such Manner as might be agreeable to that House, for making that Emission as Current, of the same Value, and on the same Footing, with the Paper Currency, now actually in Circulation, to all Intents and Purposes, wou'd depreciate the Credit of our Paper Currency, does not give any Answer to the Reasoning of this House in their Message of 21st Instant, but is rather a Repetition of their Assertions in their former Message on that Head, and consequently, that the sole Reason of their Refusal to pass that Bill, must clearly appear to be the Appropriation of Ordinary Licence Fines, as designed by the Bill.

Resolved, That the Part of the said Message from the Upper House, endeavouring to shew the Lord Proprietary's Right to Ordinary Licence Fines, by Prerogative, does not in the least shew, that his Lordship, though he did Licence some few Persons in the Infancy and Ignorance of this Province, and at a Time when Prerogative made large Encroachments on the Rights and Privileges of the People, not only here, but even in our Mother Country (as may be shewn by many Instances, wou'd Time now permit) ever received any Thing by Way of Fine for those Licences; and it clearly appears, even from the Words of his Lordship's Proclamation about that Time (as recited in that Message) commanding all Ordinary-Keepers that had taken Licences to come and renew the same, that

p. 93

L. H. J. there were also, at the same Time, Public-Ordinary-Keepers that
 Liber No. 48 kept such Ordinaries without any Licences at all, which manifestly
 March 26 shews, that his Lordship cou'd not prevent Persons from keeping
 Ordinaries without Licences, and consequently, that he must be sen-
 sible his Power, by Prerogative, was not sufficient to compel them
 even to take Licences, much less to pay a Fine for them.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Chapline appeared in the House.

Mr. M. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We have re-considered your Message of Monday; and as we have already earnestly endeavoured, as far as the Circumstances of our Country will admit, to provide for the Requisitions made by the Letters of Sir Thomas Robinson, and General Braddock, and every other Purpose relative to his Majesty's Service on the present Exigency; and as we cannot, in Duty to our Constituents, or consistently with our own Privileges, wave insisting on the same Ways and Means which have already been proposed, for replacing any Monies that may be granted, we have not the least Hopes of Success in making any further Proposal.

The Appropriation of the Ordinary Licence Fines (which has at last appeared to be the great Obstacle to our repeated generous Grants) we are so firmly of Opinion, is the undoubted Right of the Country, that nothing will ever induce us to give them up, or to do any Thing which may weaken that Right; and since the Gentlemen of the Upper House, by their Messages, seem determined not to depart from what they look upon, in this Particular, as the Lord Proprietary's Right by Prerogative, there is no Room to expect any Thing further can be done, and therefore we once more request your Excellency to put an End to his Session.

Which was Read and assented to & signed by Order of the House, by the Hon^{ble} Speaker.

Ordered that Major Hall and M.^r Edward Tilghman do acquaint his Excellency that this House hath prepared an Address to be presented to him and Desires to know When and Where he will please to receive it. They return, and acquaint M.^r Speaker, that the Gov-
 p. 94 ernor was pleased to signify he was Ready to receive the Address immediately in the Conference Chamber.

Ordered that Major Hall with three more do present the Address.

L. H. J.
Liber No. 48
March 26

Benedict Calvert Esq from the Upper House Delivers to M.^r Speaker the several Paper Bills (The Ingrossed Bills of which were severally read and assented to by Both Houses) Which Paper Bills were severally thus Indorsed By the Upper House of Assembly the Ingrossed Bill whereof this is the Original is Read and assented to.

Signed p Order J. Ross, Cl. Up. Ho.

George Plater, Esq; & Col. Charles Hammond from the Upper House, acquaint M.^r Speaker that the Gov^r requires the Immediate Attendance of the Lower House in the Council Chamber.

M.^r Speaker left the Chair and (with the rest of the Members of the Lower House) went to the Upper House, where his Excellency Passed the several ingrossed bills into Laws in the usual Manner, viz.^t

No 1 An Act directing the Commissioners of the Currency Office Speedily to call in the Interest due on Bonds, and other Securities, and all Monies due on Funds payable into the said Office.

No 2 An Act for the Continuance of Process in Baltimore County Court.

No 3 An Act to impower and direct the Clerk of Baltimore County Court to record among the said County Records a Deed of Bargain and Sale from Issac Johns deceased, to Robert Adair.

No 4 An Act to aid the defective Entry of the late Deputy Clerk of Prince-Georges County, in the Recording of a Deed of a Bargain and Sale from John Wheeler to William Hutchison.

No 5 An Act for regulating the Rates of Carriage and Quartering Soldiers in Public Houses, within this Province for his Majesty's Service.

No 6 An Act to prevent the People of this Province from supplying the French or their Indian Allies with Ammunition Warlike Stores or Provisions of any Kind.

No 7 An Act for the Relief of Inspectors and Owners of Tobacco and Others who have suffered by Means of extraordinary Rains and high Tides and other Defects in the Inspection-Law.

His Excellency then made the following Speech,
Gentlemen of the Upper and Lower Houses of Assembly,

I have thought fit, with the Advice of his Lordship's Council p. 95 of State, to prorogue this present General Assembly, to Tuesday the first Day of July next Wherefore you are to take Notice, that you are prorogued to that Day accordingly.

So endeth this Session of Assembly, this 26th Day of March, in the year of our Lord 1755.

Test. M: Macnemara Cl. Lo. Ho.

ACTS OF THE ASSEMBLY PASSED IN FEBRUARY AND MARCH 1755

Liber H. S.
No. 1
p. 168

At a Session of Assembly begun and held at the City of Annapolis the Twenty second day of February in the 4.th year of the Dominion of the Right Honourable Frederick Absolute Lord and Prop^{ty}. of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c Annoq Domini 1755 and ending the Twenty sixth day of March following.

The following Laws were Enacted and assented to by his Excellency Horatio Sharpe Esquire Governor.

No. 1 An Act directing the Commissioners of the Currency Office, speedily to call in the Interest due on Bonds, and other Securities, and all Monies due on Funds payable into the said Office.

[Preamble.] Whereas it is apparent that many and great Sums of Money are and have a long Time been due for Interest arising on Loans, made by the Commissioners or Trustees of the Paper Currency Office;

[Commissioners to advertise the Debtors to the Office, to pay all Interest due by the first of June.] Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the said Commissioners do, and they are hereby directed and required, forthwith, to give public Notice in the Maryland Gazette, that the several and respective Debtors to the said Office, whether for Sums of Money collected upon Funds, or for Interest upon Bonds, or other Securities, do, by the First Day of June next, bring, and pay into the said Office, the said several Sums so as aforesaid respectively due.

[In case the Debtors neglect to proceed to the Recovery of Principal and Interest.] And be it further Enacted, by the Authority aforesaid, That in Case such Debtors as aforesaid, shall not by the Time aforesaid, bring and pay into the said Office, the said Sums, so as aforesaid collected upon Funds, and due for Interest as aforesaid, the said Commissioners are hereby directed, and required, immediately, to proceed to the Recovery of Principal and Interest due on such Bonds, agreeable to the Directions of an Act of Assembly, entituled, An Act to prevent Evils arising from the entering up Judgments upon Bonds, commonly called Judgment Bonds, to direct the Manner of issuing Executions on Loan-Office Bonds, and to regulate certain Fees therein mentioned; and of other Securities, and such Sums of Money as are or shall be collected upon Funds, as aforesaid, according to Law.

And be it further Enacted, by the Authority aforesaid, That in Case any Goods or Chattels, Lands or Tenements, have been, or shall, at the Instance of the said Commissioners, be taken in Execution, by Virtue of any Fieri facias, or Attachment by Way of Execution, that the Sheriff, or Coroner, according as the said Writ shall be directed, shall, after giving Ten Days Notice, by Advertisements set up in the most public Places in the County, for the Sale of Goods and Chattels, of the Time and Place of such Sale, and Thirty Days Notice, as aforesaid, and Publication thereof in the Maryland Gazette, for the Sale of Lands and Tenements, set up and expose to Sale, in the most public Manner, such Goods or Chattels, Lands or Tenements, to the highest Bidder, for Bills of Credit; any Law, Usage, or Custom, to the contrary, in any wise, notwithstanding: And so much of the Money, arising by such Sale, as shall be sufficient for that Purpose, shall be, and the same is hereby directed and required to be, by the said Sheriff, or Coroner, forthwith paid, and satisfied to the said Commissioners, towards the Payment and Discharge of the said Bonds, or other Securities, or in Discharge of the Sums of Money collected on the Funds as aforesaid, and Costs of Suit. And in Case there shall be any Residue over and above sufficient for the Purposes aforesaid, such Residue shall be, and is hereby directed to be, by the said Sheriff, or Coroner, returned to the said Defendant or Debtor; any Law, Usage, or Custom, to the contrary thereof, in any wise, notwithstanding.

Liber H. S.
No. 1
p. 169
[Where
Lands, &c.
are taken by
Execution,
the same to
be advertised
and sold.]

8th March 1755
Read and assented to
by the Lower house of
assembly

Sign'd p order
M Macnemara Cl lo. Ho.

on behalf of the Right
Honourable the Lord
Proprietary to this prov-
ince I will this be a Law
Hor.^o Sharpe

8th March 1755
Read and assented to
by the Upper House of
Assembly.

signed p order
J Ross. Cl. Up Ho.

The Great Seal in
wax appendant

No. 2 An Act for the Continuance of Process in Baltimore County Court. p. 170

Whereas at November last, the County Court for Baltimore County, was adjourned to the Court in Course, being the first Tuesday, and fourth Day of March, Seventeen Hundred and Fifty-five, but the Weather being excessively severe on that Day, prevented the Meeting of a sufficient Number of Justices to hold the same Court, according to Adjournment, whereby the said Court, and Business therein, is discontinued, to the great Inconvenience of the Inhabitants of the said County:

[Preamble.]

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Actions and business that were

[Actions, &c.
in Baltimore
County, con-
tinued to
June.]

Liber H. S. depending in the said County Court, in November last, and were
 No. 1 then continued to the first Tuesday in March aforesaid, be, and stand
 in all Circumstances, and to all Intents and Purposes, continued to
 the first Tuesday in June next, as fully and effectually as if the same
 would, of Course, have continued thither: And that the said Balti-
 more County Court then take Cognizance of, proceed in, hear and
 determine, all such Actions and Business, in as full and ample Man-
 ner, as they might, or ought to have done on the first Tuesday of
 March aforesaid; any Discontinuance of the said Court, or Actions
 therein depending, or any want of Continuance, or other Defect
 therein, or any Thing in the Act for limiting the Continuance of
 Actions, in any wise, notwithstanding.

[And all
 Recogn-
 nizances,
 &c.] And be it further Enacted, That all Writs, Precepts, and Process,
 returnable to the said Baltimore County Court, which was to be
 held in March, as aforesaid, and all Recognizances and other Mat-
 ters, returnable to the said Court, be, and the same are hereby
 declared to be, returnable to the said first Tuesday of June next;
 any Thing in the said Writs, Precepts, Processes, Recognizances,
 or other Matters, to the contrary, notwithstanding. And that all
 Persons, Matters, and Things, taken or affected by such Process,
 and all Persons summoned, or bound by Recognizance, to appear at
 the said March Court shall be obliged respectively, in the same Man-
 ner, and under the same Penalties and Forfeitures, to appear at the
 said Court, to be held the first Tuesday of June next, as they were
 respectively under for their Appearance at the said March Court.
 And that all Bail Bonds, for the Appearance of Persons arrested on
 p. 171 Writs, returnable to the said March Court, shall be assignable for
 Default of the Defendants Appearance at the said first Tuesday of
 June next, in the same Manner as they would have been, in the like
 Case, at the said March Court.

[The same
 in other
 Counties, in
 like Circum-
 stances.] And be it further Enacted by the Authority aforesaid, That any
 other Court of this Province, which should, in Course, have met
 on the first Tuesday of March, Seventeen Hundred and Fifty-five
 aforesaid, but which has fallen as aforesaid, the said Court, and all
 Writs, Recognizances, Process, Pleadings, and other Proceedings,
 and all Persons and Things whatsoever, any Way affected by, or con-
 cerned in, the same, shall be, and they are hereby Enacted and
 Declared, to be rectified, carried on, compleated in, and made per-
 fect, to all Intents and Purposes, in the same Manner as is herein
 before Enacted and Declared, touching Baltimore County Court

aforesaid; any Law, Usage, or Custom, to the contrary thereof, in any wise, notwithstanding.

Liber H. S.
No. 1

12th March 1755
Read and assented to
By the Lower House of
assembly
Signed p. order
M Macnemara C.¹ L^o H.^o

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

12th March 1755
Read and assented to
by the Upper House of
Assembly.
Signed p. Order.
J Ross Cl. Up Ho.

The Great Seal in
wax appendant

- No. 3 An Act to impower and direct the Clerk of Baltimore County Court to Record among the said County Records a Deed of Bargain and Sale from Isaac Johns deceased to Robert Adair.

Whereas Isaac Johns late of Ann Arundell County now Deceased by his Deed of Bargain and Sale bearing date the fifth Day of January in the year of Our Lord One thousand Seven hundred and Fifty four for the Consideration Money therein mentioned did Convey to Robert Adair in Fee Two hundred and fifty Acres of Land part of a Tract of Land lying in Baltimore County called Christophers Camp according to the Meets and Bounds thereof which Meets & Bounds are hereby declared to Begin at the End of One hundred and Sixty Perches in the North East Line of the said Tract and running North East One hundred and Sixty Perches Then North West Two hundred and fifty Perches then South West one hundred and Sixty Perches then with a Straight Line to the said Beginning. And Whereas the said Deed of Bargain and Sale was not recorded either in the Provincial Court or in Baltimore County Court where the said Land lies within six Months after the Date of the said Deed of Bargain and Sale And Whereas the said Isaac Johns is since Dead by means whereof the omission of recording the said Deed of Bargain and Sale cannot now be supplied by the Partys to the said Deed Wherefore it is most humbly Prayed that to supply the omission of Recording the said Deed of Bargain and Sale within the Time Limited by the Act of assembly for quieting Possessions, enrolling Conveyances and Securing the Estates of Purchasers. it may be enacted And be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Clerk of Baltimore County Court for the Time being Shall and May record the Before recited Deed of Bargain and Sale among the Records of Baltimore County Court at any time within Six Months after the End of this present Session of assembly and that the Recording the said Deed within the said Six Months shall be as Good and Sufficient to vest the Lands therein mentioned in the said Robert Adair and his heirs According

p. 172

- Liber H. S. to the Meets and Bounds af.^s as if the said Deed had been Recorded
 No. 1 among the Records of Baltimore County Court within six Months
 after the Date of the said Deed any neglect or Omission Law Statute
 Act of Assembly usage or Custom to the Contrary notwithstanding
 saving to his Most Sacred Majesty his heirs and Successors to the
 right honourable the Lord Proprietary his heirs and Successors and
 p. 173 to all Bodies Politick and Corporate and to all others not mentioned
 in this Act their Several and respective Rights.

15th March 1755
 Read and assented to
 By the Lower House of
 Assembly
 Signed p. order
 M Macnemara Cl Lo H.^o

On behalf of the Right
 Honourable the Lord
 proprietary of this Prov-
 ince I will this be a Law
 Hor^o Sharpe

15th March 1755
 Read and assented to
 by the Upper House of
 assembly
 Signed p. order
 J Ross Cl. Up. H.^o

The Great Seal in
 wax appendant

- No. 4 An Act to aid a defective Entry of the late Deputy Clerk of Prince
 Georges County in the recording of a Deed of Bargain and Sale
 from John Wheeler to William Hutchison.

Whereas George Parker of Charles County Gentlemen by his
 humble Petition to his Excellency the Governor and the Upper and
 Lower Houses of assembly hath set forth that he is entitled to the
 Equity of Redemption in all that Tract or Parcell of Land called
 Wheelers Adventure Scituate lying and being in Charles County
 Containing and laid out for Seventy six Acres More or less and as he
 is Willing and desirous to sell and dispose thereof to enable him to
 pay and Satisfie his Creditors but is prevented from Making Such
 Sale by the Neglect and Default of the late Deputy Clerk of Prince
 Georges County Court in not entring the Time when the Deed of
 Bargain and Sale from John Wheeler to Will.^m Hutchison of the
 Premises was Recorded the said Deputy Clerk having left in the
 Record of the Said Conveyance blank Spaces for the Day Month
 and Year when the Said Deed was received to be recorded and
 omitted to fill them up. And whereas it appears to this General
 assembly that the Said Tract of Land was pattented on the first Day
 of June in the Year of Our Lord One thousand Six hundred and
 eighty seven to the said John Wheeler and by Deed of Bargain and
 Sale Conveyed by him to the aforesaid William Hutchinson on the
 Sixth Day of January One Thousand Six hundred and ninety eight
 which said Deed was duly acknowledged and Recorded and the
 p. 174 Alienation Fine paid thereon to the use of the Lord Proprietary but
 the time when the said Deed was accorded does not appear on the
 Record the then Deputy Clerk of Prince Georges County having
 left in the Record Blank spaces for the Day Month and Year
 And Whereas it further appears to this General Assembly that the
 af.^d William Hutchinson Devised the Premises to his Daughter

Elizabeth Hutchinson in Fee and that the said George Parker hath intermarried with the said Devisee and the said George and Elizabeth by Deeds of Lease and Release bearing Date respectively on the first and Second of March One thousand Seven hundred and forty seven Conveyed the premisses in fee to Basil Waring of Prince Georges County and that the said Basil Waring by Deeds of Lease and Release bearing Date respectively on the third and fourth Days of March One thousand Seven hundred and forty Seven Reconveyed the Same to the aforesaid George Parker in Fee and that the said George Parker hath an Equity of Redemption in the said Premisses and is now in Possession thereof Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governor and the Upper & Lower Houses of assembly and the Authority of the same That a Deed of Bargain and Sale made by and Between John Wheeler and William Hutchinson on the Sixth Day of January in the year One Thousand Six hundred and Ninety eight and now remaining among the Land Records of Prince Georges County of all that Tract or parcell of Land called Wheelers adventure Scituate lying and being in Charles County laid out for and Containing Seventy six acres more or less be and is hereby declared to be as Valid and effectual to all Intents and Purposes as if the same did appear by the Records *af.^d* to have been. Recorded in due time any Error Incertainty or defect of the Entry of the Clerk of the time when the same was recorded or received to be recorded notwithstanding Provided Always that Nothing in this Act Contained shall be Construed or deemed to confirm the Title of the said George Parker or any Person or Persons Claiming from by or under him or to Validate the Deed *afores.* except so far as the same Depends upon the Entry *af.^d* and the aiding the Defect thereof as *af.^d* Saving to his most Sacred Majesty his Heirs and Successors to the Right Honourable The Lord Proprietary his Heirs and Successors to all Bodys Politick and Corporate and to all others not mentioned in this Act their Several and Respective Rights.

Liber H. S.
No. 1

p. 175

15th March 1755
Read and assented to
By the Lower House of
assembly
Signed p order
M Macnemara Cl Lo H.^o

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^a Sharpe

15 March 1755
Read and assented to
by the Upper House of
assembly.
Signed p order
J Ross Cl Up H.^o

The Great Seal in
wax appendant

No. 5 An Act for regulating the Rates of Carriage and Quartering Soldiers
In Publick Houses within this Province for his Majesties Service.

Whereas his Majesty's Service, upon the present Invasion of the
British Dominions on this Continent, may require the Carriage of [Preamble.]
Provisions, and other Military Stores and Conveniencies, for the

Liber H. S. Support and Use of his Majesty's Forces marching through or within
No. 1 this Province, and the Quartering of Soldiers therein: In order,
therefore, to prevent any Imposition from Carriers, or Owners of
Carriages, and Publick House Keepers, and to prevent any Disputes
that may arise between any of his Majesty's Forces, and any the
Inhabitants of this Province, it is humbly prayed that it may be
Enacted.

[Rates of Carriages employ'd in his Majesty's Service.]
And be it Enacted, by the Right Honourable the Lord Proprietary,
by and with the Advice and Consent of his Lordship's Governor,
and the Upper and Lower Houses of Assembly, and the Authority
of the same, That when his Majesty's military Service, upon the
present Expedition, may require the carrying of Guns, Shot, Powder,
Arms, Lead, Clothing, or any other military Stores, or Accoutre-
ments, or Provisions of any Kind, for his Majesty's Forces there
shall be paid the following Rates of Carriage to the Owner or Own-
ers of all such Carriages as shall be employed in his Majesty's Service
on the Expedition aforesaid, while they shall continue in the said
Province, viz. for the Hire of every Cart, carrying a Load not
exceeding Fifteen Hundred Pounds Weight, the Sum of Twelve
Pence Current Money per Mile; and for the Hire of every Waggon,
carrying a Load not exceeding Two Thousand Pounds Weight, the
Sum of Sixteen Pence Current Money per Mile. And to prevent any
Abuses or Impositions by Public-House-Keepers, in whose Houses
any Officers or Soldiers may be quartered or billeted.

[Dieting of Officers and Soldiers at Public-Houses.]
Be it Enacted by and with the Advice and Consent aforesaid,
That no Public-House-Keeper shall charge to, or receive from, any
Officer, or private Soldier, quartered or billeted in his or her House,
as aforesaid, more than the following Rates, viz. to a Commission
Officer, under the Degree of a Captain, for his Diet of such good and
wholesome Food as is usually provided by Ordinary-Keepers in this
Province, with Small-Beer or Cyder, the Sum of Eighteen Pence
Current Money per Diem, and Lodging; and to a private Soldier for
his Diet, as aforesaid, with Small-Beer, the Sum of Twelve Pence
Current Money per Diem, and Lodging.

[Continu-
ance.] This Act to continue for six Months from the Commencement
thereof, and to the End of the next Session of Assembly, which shall
happen after the Expiration of the said six Months.

21.st March 1755
Read and assented to
By the Lower House of
Assembly
Signed per Order
M Macnemara Cl lo ho

On behalf of the Right
Honourable The Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

21.st March 1755
Read and assented to
by the Upper House of
assembly.
Signed p order
J Ross Cl Up H.^o

The Great Seal in
wax appendant

- No. 6 An Act to prevent the People of this Province from supplying the French, or their Indian Allies, with Ammunition, Warlike Stores, or Provisions, of any Kind. Liber H. S.
No. 1

Whereas it is represented to this General Assembly, that divers Persons to supply the French, and their Allies, with Provisions by Land and Water, by which Means they are the better enabled to carry into Execution their unjust Schemes upon his Majesty's Dominions, and against his Subjects, on this Part of the Continent: In order therefore, to prevent as much as in us lies for the Future, such Evil, it is prayed that that it may enacted, p. 177
[Preamble.]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, for and during the Continuance of this Act, it shall not be lawful for any Person or Persons whatsoever, within this Province, to export in any Ship, or Vessel out of this Province, any Ammunition, Warlike Stores, or Provisions of any Kind or Denomination whatsoever, except for the necessary Use of such Ship or Vessel, without first entering into Bond to the Naval Officer of the Port where he or they shall clear out their Vessel, or Vessels, with good and sufficient Security, unto the Right Honourable the Lord Proprietary of this Province, in the Sum of Five Hundred Pounds, Sterling Money of Great-Britain, with Condition to the same annexed, that he or they shall and will, land, deliver, and unload the said Ammunition, Warlike Stores, and Provisions, at some Port or Place within his Majesty's Dominions, and produce a Certificate thereof to the Naval Officer taking such Bond, within Twelve Months after such Exportation, (which said Naval Officer is hereby authorized and required to take such Bond, before he Clears the said Ship or Vessel), from the Chief Officer of the Customs of such Port, or if it shall be at a Port where there is no Officer of the Customs, then from the Chief Magistrate, that all such Ammunition, Warlike Stores, and Provisions, have been Landed accordingly: And in case any Person or Persons shall presume, contrary to the Tenor of this Act, to carry or transport, or cause to be carried and transported, in any Ship or Vessel, out of this Province, any such Ammunition, Warlike Stores, or Provisions of any Kind or Denomination whatsoever, without giving such Bond as by this Act is required, such Person or Persons shall forfeit the full Value of such Ammunition, Warlike Stores, and Provisions, of what Denomination soever the same be, as also the Ship or Vessel transporting or carrying the same, with her Sails, Rigging, Anchors, Cables, Guns, Boats, and all other Materials to her belonging, to the Right Honourable the Lord Proprietary, for the Uses and Purposes in this Act herein after directed and appointed. [Bond to be given, that no Provisions or Warlike Stores be carried to the French.]

p. 178

Liber H. S.
No. 1
[Penalty for
carrying any
by Land.]

And be it further Enacted, That in Case any Person or Persons within this Province, shall carry any Ammunition, Warlike Stores, or Provisions of any Kind or Denomination whatsoever, out of the same Province, towards the Branches of the Ohio, or over the Allegany Mountains, and the same sell, or dispose of, to the French, or other in Trust for their Use, or to their allied Indians, or any of them, such Person or Persons shall forfeit, and pay, to the Right Honourable the Lord Proprietary for the Uses in this Act hereafter mentioned, double the Value of such Ammunition, Warlike Stores, or Provisions of any Kind or Denominations whatsoever, together with the Horses and Carriages made Use of to convey or carry the same, contrary to the Tenor of this Act.

[Forfeitures
how re-
covered.]

And it is hereby Enacted, That the several Forfeitures herein mentioned, shall and may be recovered in the Provincial Court of this Province, by Action of Debt, Bill, Plaint, Information or Indictment, wherein no Essoin, Protection, or Wager of Law, or more than one Impar lance shall be allowed.

[Owners
Probandi.]

p. 178

And it is further Enacted, That where any Person or Persons shall be sued or prosecuted by Virtue of this Act, the Onus Probandi shall lie on the Person sued or prosecuted, to make appear where he, she, or the disposed of such Ammunition, Warlike Stores, or Provisions.

[Forfeitures
how to be
disposed of.]

And be it likewise Enacted, That all the Monies and other Things arising by the Forfeitures in this Act, except that Part to the Informers, shall be paid to the Treasurer of the Western Shore, to be by him accounted for to the General Assembly of this Province, from Time to Time, and to be by them applied towards his Majesty's Service, as to them shall seem needful.

p. 179

[Officers to
prevent Pro-
visions, &c.
being carried
to the
French
Westward.]

And for the more effectual preventing the carrying Ammunition, Warlike Stores, or Provisions of any Kind, from the back Parts of this Province; It is hereby Enacted, That his Excellency Horatio Sharpe, Esq; or the Governor or Commander in Chief for the Time being, issue his Proclamation, or Proclamations, to be published in the said Western Limits of this Province, charging all Officers, Civil and Others, to be aiding in the Prevention of carrying any Ammunition, Warlike Stores, or Provisions of any Kind, to the French, and their Indian Allies, contrary to the Tenor, true Intent, and Meaning of this Act, and requiring all his Majesty's Liege Subjects to discover, and make known to him, any Transgressions against this Act.

[Informers
to have one
Moiety of
the For-
feitures.]

And for the better Encouragement of Persons to discover any Transgression of this Act; It is hereby Enacted, That any Person or Persons informing, or who shall inform, against any Person or Persons transgressing against this Act, shall have, and receive upon

Conviction, one Moiety of all and every Forfeiture, or Forfeitures, herein before mentioned. Liber H. S.
No. 1

Provided always, That in case any Person or Persons shall, or do, within this Province, load on board any Ship or Vessel, any Ammunition or Warlike Stores, Wheat, Indian Corn, Beans, or Provisions of any Kind, more than shall be necessary for the Use of such Vessel, it shall and may be lawful, to and for such Person or Persons, to carry the same to any Port belonging to the Kings of Spain or Portugal, in Europe or Africa, first giving Bond, with Surety as aforesaid, in the Sum aforesaid, conditioned that such Ammunition, Warlike Stores, Wheat, Indian Corn, Beans, or Provisions as aforesaid, shall be landed in some or one of the Ports aforesaid, and that a Certificate, under the Hand and Seal of the British Consul, or his Deputy, residing in such Port, returned in Eighteen Months to the Naval Officer taking such Bond, shall vacate the same; any Thing in this Act to the contrary thereof, in any wise notwithstanding. [Provisions,
&c. may be
carried to
Spain or
Portugal.]

This Act to continue until the Twentieth Day of June, One Thousand Seven Hundred and Fifty Five, and no longer. [Continu-
ance.]

22^d March 1755
Read and assented to
By the Lower House of
assembly
Signed p. order
M Macnemara Cl. Lo H.^o

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

22^d March 1755
Read and assented to
by the Upper House of
assembly
Signed p. Order.
J Ross Cl. Up Ho

The Great Seal in
wax appendant.

No. 7 An Act for the Relief of Inspectors, and Owners of Tobacco, and Others, who have suffered by Means of extraordinary Rains, and high Tides, and other Defects in the Inspection-Law.

Whereas by an Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, it is directed, that in all Matters relating to the Expence of putting the said Act in Execution, the several Inspectors should annually lay before the Justices of the respective County Courts, fair and distinct Accounts of the Profit and Loss of their respective Warehouses, which Accounts the Justices shall settle and adjust; and that if the Profits shall over and above bear the Expences, that then the Overplus be applied to defray the Charge of the County. But no Provision is made by the said Act, in Case it should so happen that by Means of the small Quantity of Tobacco made in any County, there should not be Money raised sufficient to defray the several Inspectors Salaries, Allowance to the County Clerk, and other annual Charges of the Warehouses therein; and there being at present, in case of a Deficiency, no Law whereby p. 180
[Preamble.]

Liber H. S. the said Inspectors, County Clerks, or other Creditors of the said
No. 1 Warehouses, may or can be paid: It is therefore prayed that it may
be Enacted,

[Inspectors,
or Others,
having
claims, to be
paid by a
County
Levy.] And be it Enacted, by the Right Honourable the Lord Proprietary,
by and with the Advice and Consent of his Lordship's Governor, and
the Upper and Lower Houses of Assembly, and the Authority of
the same, That where any Inspectors, Clerks, or other Creditors,
have Claims unsatisfied, it shall and may be lawful for the Justices
of such Counties, and they are hereby required, at the laying the
next County Levy, to asses on the taxable Inhabitans, a Sum suffi-
cient to discharge the same. And if it shall so happen, that at the
laying the next County Levy, or other future Levy, there shall be
any Claim or Claims, arising by the Salary of any Inspector or
Inspectors, County Clerk, or other annual Charge from any In-
specting-House or Houses, within any County of this Province,
it shall and may be lawful for the Justices of such County respec-
tively, and they are hereby directed and required, at the November
Court of such County, yearly, to assess and levy a Sum sufficient to
discharge the same, on the taxable Inhabitants of such County, that
thereby the Current Expenses of each Year may be defrayed.

p. 181 And whereas by a most extraordinary Rain and Tide happening
[Damages
done in
Inspecting-
Houses by
late extraor-
dinary Tides,
and Rain, to
be paid by
the respective
Counties.] in the Months of August and October last, which raised the Waters
of several Rivers to an Heighth never before known, there hath been
Quantities of Tobacco damaged and lost, in several Inspecting-
Houses, and that it would be unjust and highly prejudicial that such
accidental Damage and Loss should fall on the Inspectors, or Own-
ers of such Houses only, Be it therefore Enacted, That the Justices
of each respective County, where such Damage or Loss hath hap-
pened, upon Application to them made, shall, and they are hereby
directed and required to call upon the Inspector or Inspectors of
such Warehouses, wherein any Damage and Loss hath happened,
for an Account, upon Oath, of the Quantity of Tobacco totally
damaged and lost, and a List in which they shall certify the Names
of the several Persons who have been Sufferers in their respective
Warehouses, and the Amount of their several Losses sustained by
the Means aforesaid: And the said Justices, in their respective
Counties wherein the Accident aforesaid hath happened, shall, and
they are hereby directed and impowered, at their next November
Court, to be held for their respective Counties, to assess and levy
a Quantity of Tobacco on the taxable Inhabitants, to the Amount
of the Sum made appear to be damaged and lost, as aforesaid,
together with the Sheriff's Salary for collecting the same, out of
which the several Sufferers shall be paid their several Claims, made.

appear in Manner aforesaid, by Order or Orders drawn by the said Justices on the Sheriff of the said County. Liber H. S.
No. 1

22^d March 1755
Read and assented to
By the Lower House of
assembly
Signed p order.
M Macnemara Cl. Lo H.^o

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

22^d March 1755
Read and assented to
by the Upper House of
assembly.
Signed p order
J Ross Cl Up H.^o

The Great Seal in
wax Appendant

I do hereby Certifie that Richard Burdus Clerk of the Provincial Court and Secretarys office of the Province of Maryland this Day Personally appeared before me the subscriber one of the Right Honourable the Lord Proprietar af.^d his Council of State and made Oath on the Holy Evangelist of Almighty God that he carefully Examined the Laws Contained in this Book beginning at fol.^o 168 and Ending at fol. 181 with the Original Acts that passed the Great Seal Sworn to this 24th Day of June Anno Domini 1755 p. 182

C. Hammond

SEAL

The Seal of the Provincial Court is hereunto affixed on behalf of George Plater Esquire Deputy Secretary of Maryland

R. Burdus Clk of Sec.^{rys} Office and Pvin Court

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, June 23–July 8, 1755.
Being the Third Session of the Assembly Elected in 1754.*

FREDERICK CALVERT, LORD BALTIMORE,
Lord Proprietary.

HORATIO SHARPE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Monday the 23.^d day of June in the fifth year of his Lordships Dominion Annoque Domini 1755.

U. H. J.
Liber No. 35
1755, June 23
p. 35

Present.

His Excellency Horatio Sharpe Esq.^r Governor

The Honourable.	{	Benjamin Tasker Esq. ^r Co ^t Charles Hammond Samuel Chamberlain Esq. ^r	}	Philip Thomas Esq. ^r Co ^t Benjamin Tasker Benedict Calvert Esq. ^r Co ^t William Goldsbor- ough
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Mess.^{rs} John Goldsborough and William Govane from the Lower house acquaint his Excellency that there is a Sufficient Number of Members met to make a house and wait his Excellencys Commands.

Co^t Charles Hammond and Samuel Chamberlaine Esq.^r are Sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower house in the Upper house

The Lower house attend and his Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower houses of Assembly

Our Meeting at this time is occasioned by a Letter that I have lately received from General Braddock which shall be laid before you and I most earnestly desire you to let the Reasons therein offered have their due weight and determine you to grant such Supplies as the Present Situation of affairs requires and the General Sollicits; you will find he proposes after Reducing the Fort which the Enemy have presumed to build on his Majestys Dominions on the Ohio and recovering that Country of which the French in manifest Violation of Treaties have assumed the Possession to repair that Fort or construct another Place of Defence there as a Barrier against any future Incroachments, which he will Garrison with Provincial Troops and leave it to this and the two Neighbouring Colonies to Support and Victual them; The Virginians have I am Advised Voted a Sum of Money as their Quota for those Purposes and the Assembly is at this time Convened for the Same End: that you

U. H. J. also will readily contribute and join in making such a Provision as
 Liber No. 35 will be expedient for the Service now recommended to you I enter-
 June 23 tain very Sanguine hopes, since you cannot but be Sensible that on
 our taking such Measures depends our own Safety and that by
 declining or delaying to Comply with this Requisition we may
 entirely lose the Fruits of the Vast Expence that our Mother Country
 and our Sister Colonies on this Continent have been at and all the
 Great Advantages which we have now a fair and reasonable Pros-
 pect of acquiring I will give you some Information of the Vigorous
 Efforts that the Several Other Provinces have resolved at this Criti-
 cal Juncture to make their alacrity Fervour and unanimity you must
 I am persuaded approve and Admire, Let me also hope you will
 p. 36 be incited to æmulate their Conduct. Consider what Instances you
 have Received of our most Gracious Sovereigns Concern for you
 in Sending such a Body of Regular Troops from Europe to your
 aid and let the Reflection warm You with Sentiments of Gratitude
 for his Royal and Parental Care. Learn what Resentment and Indig-
 nation our Fellow Subjects in great Britain express at the late Insults
 that have been offered us; think to what Debts they Voluntarily and
 most chearfully Subject themselves by making such preparations for
 our Defence and protection, and then Consider how it will become
 us to exempt ourselves from every the least Expence under the Cir-
 cumstances of an impending War to remain idle and indifferent
 Spectators; Embrace the opportunity that now presents itself of
 manifesting your Loyalty & Duty to his Majesty and your desire to
 promote his Service which you may do without laying any great
 Burthen on Your Constituents, not that I would Seem to prescribe
 Bounds to your Zeal and Generosity, tho I would indeed Caution
 you to avoid the Rock on which the Difficulty of raising large Sums
 may make you Split; But whatever Supplies you can agree on I must
 intreat you to grant with such dispatch as will render them Effec-
 tual for Uses to which they will be applied.

Adjourned till to Morrow Morning ten of the Clock

June 24

Tuesday Morning 24 June 1755

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Benjamin Tasker Esq.^r attended by the Members of this House presents to his Excellency the Address of this house which follows in these words Viz.^t

U. H. J.
Liber No. 35
June 24

To his Excellency Horatio Sharpe Esq.^r Governor and Commander in Chief in & over the Province of Maryland

The humble Address of the Upper house of Assembly
May it please your Excellency

We beg leave to return your Excellency our most Sincere & hearty Thanks for your Speech at the opening of this Session, as nothing can more clearly Demonstrate his Majestys Great and Paternal Care of his Colonies in North America than the Sending over such a Number of Regular Troops from Europe in this time of imminent danger, so We assure Your Excellency that out of a Just Sense of such his Royal Regard and benevolent Disposition towards us, we shall always with the greatest Chearfulness & Gratitude endeavour to the utmost of our Power to Contribute to the Support of his Majestys just Rights against all foreign Invaders & to the Maintaining the honour and Possessions of the Crown and the Security of his Dominions here. Did not Self preservation rouse Us to exert ourselves upon the present Emergency Duty and affection to the best of Kings would prompt us to give all the Assistance to his Majesty in our Power towards the Success of such his good and humane Intentions

p. 37

As General Braddocks Requisition appears to us highly reasonable and necessary to be Complied with for the Common Safety of the Colonies, permit us Sir to assure you that We shall be ready to Concur in all proper Measures for that purpose.

Benj.^a Tasker Presid.^t

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 25 June 1755.

June 25

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

His Excellency is pleased to Communicate his Answer to the Address of this house which is as follows Viz.^t

U. H. J. Gentlemen of the Upper house of Assembly
 Liber No. 35
 June 25

For your obliging Address be pleased to accept my grateful Acknowledgments I am well convinced you will never be wanting in Gratitude for the Instances you have received of his Majestys paternal Regard & benevolent Disposition towards Us; and that you will always be found ready to contribute, when his Majestys Service & the Security of his Dominions, may call for your Assistance.

A Message from the Lower house by Mess.^{rs} Dulany & Handy

By the Lower house of Assembly 25 June 1755.

May it Please Your honours.

This house hath appointed M.^r Dulany M.^r Earle Cof John Henry M.^r Edge M.^r Beall and M.^r Handy a Committee from this house to Inspect the Accounts and Proceedings of the Commissioners for Emitting Bills of Credit established by Act of Assembly and desire your honours to appoint one or more Members of Your house to join in the said Committee

Signed p Order M Macnemara Ct Lo H.^o

The following Message is Sent to the Lower house by Samuel Chamberlaine Esq.^r

By the Upper house of Assembly 25 June 1755.

Gentlemen

This house hath appointed Samuel Chamberlain Esq.^r to join the Members Named by Your house in a Committee to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office

Signed p Order John Ross Ct Up Ho.^o

Adjourned till to Morrow Morning ten of the Clock

June 26

Thursday Morning 26 June 1755

This house met again according to Adjournment

Present as Yesterday except Philip Thomas Esq.^r

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Samuel Chamberlaine Esq.^r from the Committee appointed to Inspect the Accounts & Proceedings of the Commissioners of the Paper Currency Office brings in the following Report

Maryland ss.^t

At a Committee of both house of Assembly appointed to Inspect the Office and proceedings of the Commissioners for Emitting Bills of Credit established by Act of Assembly June 26th 1755.

U. H. J.
Liber No. 35
June 26
p. 38

Were Present

The honourable Samuel Chamberlaine Esq.^r of the Upper house

M ^r Walter Dulany	} of the Lower house
Co ^t John Henry	
M. ^r James Edge	
Cap. ^t John Handy	
M. ^r Joseph Beall	

Who make Choice of the honourable Samuel Chamberlaine Esq.^r Chairman, & Richard Dorsey their Clerk and proceed to make the following Report.

Your Committee find that the Commissioners have Closed their Books to the 20th day of June Instant, and that by the Same Books it appears that there Remains of the £29990 a Ballance in the Iron Chest of £3829..2..11½ of which Sum £100 is yet to be paid by the Commissioners in part of the Sum Granted for the building Fredrick County Goal.

Your Committee further find that the Ballances due to the Office on the Sums issued in pursuance of the Several Acts on the Expedition against Canada to be replaced by Ordinary Licences amount to £1173: 13: 8 and that there also Remains due to the Office for Money taken out by the Act for his Majestys Service passed in July 1754 which is to be Replaced by Ordinary Licences and other funds the Sum of £3965: 6 as p the following Account viz.^t

D.^r The Publick by the act for the Encouragement of able Bodied freemen Voluntarily Inlisting in his Majestys Service for the Expedition against Canada.

To Money paid by the Commissioners in pursuance	} 4299: 11: 4
of the abovementioned Act.....	

C.^r

By the Ballance arising due to the publick by the	} 1010: 12: 2½
Act for raising and Transporting his Majestys	
forces to Cuba.....	
By Money paid by Several Sheriffs to the Commis-	} 3215: 13: 9½
sioners for Ordinary Licences to the 20 th June	
1755	
By Ballance Due to the Office on this Account.....	73: 5: 4

£4299: 11: 4

U. H. J. Liber No. 35 June 26	D. ^r The Publick by the Act for purchasing Provisions for his Majestys Forces on the Canada Expedition	
	To Money paid Co ^t John Scarborough & Captain Thomas Robins two of the Agents appointed by said Act as ^p Receipt.....	1000: 8:4
	To Money paid D. ^r Charles Carroll ^p Order of said Agents	33: 6:8
	To Money paid Benjamin Tasker Esq ^r ^p said Agents Order	33: 6:8
	To Money paid Co ^t Robert King ^p Order of said Agents	33: 6:8
		<hr/> £1100: 8:4

C.^r

By Ballance due on this Account..... 1100: 8:4

D.^r The Publick by the Act for his Majestys Service past in July 1754

To Money paid by the Commissioners in pursuance of the abovementioned Act..... 4000: 8:0

C.^r

p. 39

By Money paid for Pedlars Licences..... 35: 2:0
By Ballance due to the Office on this Account..... 3965: 6:0

£4000: 8:0

Your Committee also find there Remains due to the Office for Money taken out by the Act for Encouragement of Able Bodied freemen Voluntarily Inlisting in his Majestys Service for the Expedition against Cuba which is to be Replaced by publick assessment the Sum of £686: 14: 6.

All of which is Submitted to the Consideration of both houses of Assembly

James Edge
John Henry
Josi Beall

Sam Chamberlaine
Walter Dulany
John Henry

Adjourned till to Morrow Morning Ten of the Clock

June 27

Friday Morning 27 June 1755

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

U. H. J.
Liber No. 35
June 27

Present as in the Morning

Read the Petition of Thomas Lambden a languishing Prisoner in Worcester County Goal Praying Relief. The Petition of Nathan Brittingham a languishing Prisoner in the said County Goal Praying Relief. The Petition of Sundry Inhabitants of Worcester Parish in Worcester County Praying an Act may Pass for Purchasing Two Acres of Land in the Upper part of the said Parish to build a Chappel of Ease on. The Petition of Ann Chambers Relict and Administratrix of Samuel Chambers of Ann Arundel County deceased praying an Act may pass to impower her to Sell Certain Lands which he died Possessed of in fee simple for payment of his just Debts. The Petition of Sundry Inhabitants of Talbot County on behalf of themselves and the Rest of the Inhabitants thereof praying that the Situation of Warehouses in the said County may be altered Referred to the Consideration of the Lower house & Sent by Col^t Goldsborough

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 28 June 1755.

June 28

This house met again according to Adjournment

Present as Yesterday except Col^t Hammond

A Bill from the Lower house by Philip Hammond Esq.^r & three others Entituled an Act for Granting a further Supply towards his Majestys Service, thus Endorsed

By the Lower house of Assembly 28 June 1755.

Read the first and Second time by an Especial Order and will pass.

Signed p^r Order M Macnemara Cl^t Lo H.^o

Read the first time in this house and Ordered to lye on the Table
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning ten of the Clock

U. H. J.
Liber No. 35
June 30
p. 40

Monday Morning 30 June 1755.

This house met again according to Adjournment

Present.

The Honourable	{	Benjamin Tasker Esq. ^r	}	Col Benjamin Tasker
		Col Charles Hammond		Benedict Calvert Esq. ^r
		Samuel Chamberlaine		Col William Golds-
		Esq. ^r		borough
		Philip Thomas Esq. ^r		

Five Bills from the Lower house by Mess.^{rs} Fitzheugh and Casson Viz.^t a Bill Entituled an Act continuing [an act] Entituled an Act to prevent disabled & superannuated Slaves being Set free or the Manumission of Slaves by any last Will or Testament A Bill Entituled an Act continuing an Act entituled an Act for destroying Squirrels and Crows in the Several Counties therein mentioned. A Bill entituled an Act continuing an Act entituled an Act for the more effectual destroying Squirrels & Crows in the Counties of Kent Queen Anns and Talbot and for destroying red Foxes in the said Counties. A Bill Entituled an Act continuing an Act entituled an Act for ascertaining the Allowance of Petit jurors attending the Provincial Court to limit Costs with Respect to Witnesses and for Settling their Allowances as to itinerant Charges A Bill entituled an Act continuing an Act Entituled an Act for the Relief of such Persons as cannot find Surety for their appearance to Testify as Witnesses against any Person arrested accused or prosecuted for any Criminal Matter Severally thus Endorsed.

By the Lower house of Assembly 30 June 1755

Read the first and Second Time by an Especial Order and will Pass.

Signed p Order M Macnemara Ct Lo H.^o

Read the first time in this house and Ordered to lye on the Table Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

July 1

Tuesday Morning 1.st July 1755.

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess.^{rs} Henry & Scarborough Entituled an Act for purchasing two Acres of Land in the Upper

part of Worcester Parish in Worcester County and building a Chapel of Ease thereon thus Endorsed

U. H. J.
Liber No. 35
July 1

By the Lower house of Assembly 1.st July 1755

Read the first and second time by an Especial Order & will pass

Signed p Order M Macnemara Ct Lo Ho

Read the first time in this house and Ordered to lye on the Table

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time the Bill Entituled an Act for granting a further Supply towards his Majestys Service and will not Pass Sent to the Lower house with the following Message by Benedict Calvert Esquire

p. 41

By the Upper house of Assembly 1.st July 1755.

Gentlemen

The Bill herewith returned, proposes to take £5000 out of the Paper Currency Office which is to be replaced and repaid to the Commissioners of that Office in Bills of Credit by Several duties and Imposts therein mentioned, and also by the Money arising on Ordinary Licences the appropriation of which is a disputable Matter

As there has been no Experience of the annual Amount of Several of those Duties We apprehend it to be very precarious and uncertain; and we do not find by any Computation we can make, that the Sum proposed to be taken out of the Office by this Bill, can, be repaid and Replaced into it during the Subsistance of that Office, and in such Case there is not any Provision made in the Bill for Supplying that deficiency. These, We think, are Material Defects and such as We cannot get over There are other objections to the Bill which we conceive are not necessary to be particularized here, in as much as if these objections were Removed so as to Answer the Ends and purposes proposed by it We may Possibly agree upon & reconcile those by Proper Amendments; But we cannot pass it under the present Defects and leave that to be Supplied by the Interposition of a future Assembly, which can and ought to be done now. We therefore earnestly intreat you/when the call for a Supply towards the Support of his Majestys just Rights and our own Safety are so very Pressing/to fall upon Some Expedient to render the Bill more perfect, and give us an Opportunity of Concurring with you in testifying our Zeal for his Majestys Service & the Security of Our fellow Subjects

Signed p Order John Ross Ct Up H.^o

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
July 2

Wednesday Morning 2.^d July 1755.

This house met again according to Adjournment

Present as Yesterday

Read the second time The Bill Entituled an Act continuing an Act Entituled an Act for ascertaining the allowance of Petit Jurors attending the Provincial Courts to Limit Costs with Respect to Witnesses and for Settling their Allowance as to Itinerant Charges. The Bill Entituled an Act continuing an Act Entituled an Act for the Relief of such Persons as cannot find Surety for their Appearance to Testify as Witnesses against any Person arrested accused or Prosecuted for any Criminal Matter The Bill Entituled an Act Continuing an Act Entituled an Act to prevent disabled & superannuated Slaves being set free or the Manumission of Slaves by any last Will or Testament The Bill Entituled an Act continuing an Act Entituled an Act for destroying Squirrels and Crows in the Several Counties therein mentioned. The Bill entituled An Act Continuing an Act Entituled an Act for the more Effectual destroying of Squirrells and Crows in the Counties of Kent Queen Anns and Talbot and for destroying red Foxes in the said Counties and will pass Sent to the Lower house by Co^t Tasker

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

p. 42 A Bill from the Lower house by Mess^{rs} Hall & Gassaway Entituled An Act to empower Ann Chambers Widow to Sell Certain Lands which Samuel Chambers late of Ann Arundel County did Possessed of in fee Simple for Payment of his Debts thus Endorsed.

By the Lower house of Assembly 1 July 1755.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo Ho

B ythe Lower house of Assembly 2 July 1755.

Read the Second time and will pass

Signed p Order M Macnemara Cl Lo H.^o

Read the first time in this house and Ordered to lye on the Table

A Bill from the Lower house by Mess.^{rs} Murdock & Reynolds Entituled an Act for Securing the Western Frontier of this Province against the Depredations of the French and their Indian Allies and also for paying & Maintaining Couriers from Wills's Creek to Annapolis and back to Wills's Creek thus Endorsed

By the Lower house of Assembly 2 July 1755

Read the first and Second Time by an Especial Order and will
pass

U. H. J.
Liber No. 35
July 2

Signed p Order M Macnemara Co Lo H.

Read the first time in this house and Ordered to lye on the Table
Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 3^d July 1755.

July 3

This house met again according to Adjournment

Present as Yesterday

Read the Second time the Bill Entituled an Act to impower Ann Chambers Widow to Sell Certain Lands which Samuel Chambers late of Ann Arundel County died Possed of in fee Simple for payment of his Debts & will Pass Sent to the Lower house by Samuel Chamberlaine Esq^r

Read the Second time the Bill Entituled an Act for purchasing two acres of Land in the upper part of Worcester Parish in Worcester County and building a Chappel of Ease thereon and will pass Sent to the Lower house by Col Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time the Bill entituled an Act for Securing the Western Frontiers of this Province against the Depredations of the French and their Indian Allies, and also for paying and Maintaining Couriers from Wills's Creek to Annapolis and back to Wills's Creek and will not pass, Sent to the Lower house by Col Goldsborough with the following Message

By the Upper house of Assembly 3^d July 1755

Gentlemen

We return You herewith the Bill entituled an Act for securing the Western Frontier of this Province against the Depredations of the French and their Indian Allies; and also for paying and Maintaining Couriers from Wills's Creek to Annapolis and back to Wills's Creek which in our apprehension is framed in such a manner that it would be very difficult, if not impossible to be Carried into Execution so as to Answer the purposes proposed by it, and therefore We cannot agree to Pass it; But as we are greatly concerned for the preservation and Security of the Inhabitants on the Western Borders

U. H. J. of this Province we shall be glad you will take the matter again
 Liber No. 35 under your Consideration
 July 3

Signed ꝑ Order John Ross Cl Up H.^o

Read the Petitions of Jasper Hall Daniel Wells and Thomas Todd languishing Prisoners in Ann Arundel County Goal for Debt Praying Relief. The Petition of Benjamin Berry a languishing Prisoner for Debt in Prince Georges County Goal praying Relief. The Petition of Thomas Reynolds a languishing Prisoner in Frederick County Goal for Debt Praying Relief, Referred to the Consideration of the Lower house and sent by Benedict Calvert Esq.^r

Read the Petition of the Rector Vestrymen and Churchwardens of S.^t Anns Parish in Ann Arundel County praying a Sum of Money or Tobacco may be assessed on the publick towards building a Steeple in the City of Annapolis for hanging a Bell in Referred to the Consideration of the Lower house and Sent by Benedict Calvert Esq.^r

A Bill from the Lower house by Mess^{rs} Traverse & Gray Entitled an Act for building a Church in S.^t Marys White Chappel Parish in Dorchester County thus Endorsed

By the Lower house of Assembly 3 July 1755.

Read the first and Second Time by an Especial Order and will Pass

Signed ꝑ Order M Macnemara Cl Lo H.^o

Read the first Time in this house and Ordered to lye on the Table

Read the Petition of Edward Dogan a languishing Prisoner in Baltimore County Goal for Debt praying Relief Referred to the Consideration of the Lower house and Sent by Samuel Chamberlaine Esq.^r

Adjourned till to Morrow Morning ten of the Clock

July 4

Friday Morning 4th July 1755

This house met again according to Adjournment

Present as Yesterday

An Engrossed Bill from the Lower house by Mess^{rs} Hall & Edmondson Ent.^d an act to impower Ann Chambers Widow to Sell Certain Lands which Samuel Chambers late of Ann Arundel County died Possessed of in fee Simple for payment of his Debts thus Subscribed

4th July 1755.

Read and assented to by the Lower house of Assembly

Signed ꝑ Order M Macnemara Cl Lo H.^o

Read & assented to by this house & Ordered to be so Subscribed.

U. H. J.
Liber No. 35
July 4

A Bill from the Lower house by Mess.^{rs} Henry & Hawkins Entituled An Act for the Relif of Thomas Lambden & Nathan Brittingham languishing Prisoners in Worcester County Goal, Thomas Todd Jasper Hall and Daniel Wells languishing Prisoners in Ann Arundel County Goal Benjamin Berry a languishing Prisoner in Prince Georges County Goal Thomas Reynolds a languishing Prisoner in Frederick County Goal and Edward Dogan a languishing Prisoner in Baltimore County Goal thus Endorsed

By the Lower house of Assembly

Read the first and Second time by an Especial Order & will pass

Signed p Order M Macnemara Cl Lo Ho

Read the first time in this house & Ordered to lye on the Table

Adjourned till three of the Clock in the Afternoon

p. 44

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning except Col Hammond

Read the Second time the Bill Entituled an Act for building a Church in S^t Marys White Chappel Parish in Dorchester County and will pass Sent to the Lower house by Col Tasker

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 5.th July 1755.

July 5

This house met again according to Adjournment

Present as Yesterday

Two Bills from the Lower house by Mess.^{rs} Govane and Hynson, One Entituled an Act to prevent the Exportation or Carrying out of this Province Ammunition Warlike Stores or Provisions of any kind towards Supplying the French or their Allies. An Act for Raising two pence Sterling for every hogshead of Tobacco exported out of this Province for payment of an Agent in Great Britain for the Service of this Province thus Endorsed

By the Lower house of Assembly 4 July 1755

Read the first and Second time by an Especial Order and will pass

Signed p Order M Macnemara Cl Lo H.^o

Read the first time in this house the Bill entituled an Act for raising two pence Sterling for every hogshead of Tobacco exported out of this Province for payment of an Agent in Great Britain for the Service of this Province and Ordered to lye on the Table

U. H. J. Read the Second time the Bill Entituled an Act for the Relief of
 Liber No. 35 Thomas Lambden and Nathan Brittingham languishing Prisoners
 July 5 in Worcester County Goal Thomas Todd Jasper Hall and Daniel
 Wells languishing Prisoners in Ann Arundel County Goal Benjamin
 Berry a languishing Prisoner in Price Georges County Goal Thomas
 Reynolds a languishing Prisoner in Frederick County Goal and Ed-
 ward Dogan a languishing Prisoner in Baltimore County Goal and
 will pass Sent to the Lower house by Samuel Chamberlaine Esq.^r

Read the first and Second Time by an Especial Order the Bill
 Ent.^d an Act to prevent the Exportation or Carrying out of this
 Province Ammunition Warlike Stores or Provisions of any kind
 towards Supplying the French or their Allies, and will pass Sent to
 the Lower house by Col Tasker

A Bill from the Lower house by Mess^{rs} Govane and Tolly En-
 tituled an Act to impower John Greeniff Howard of Baltimore
 County to dock the Entail of 249 Acres of Land part of a Tract of
 Land called Harborough lying in Ann Arundel County and to Sell
 and Convey the same in fee Simple and to Entail other Lands of
 Equal Value in lieu thereof thus Endorsed

By the Lower house of Assembly 5 July 1755

Read the first & Second time by an Especial Order & will pass
 Signed p Order M Macnemara Cl Lo H.^o

p. 45 Read the first and Second time in this house by an Especial Order
 and will Pass Sent to the Lower house by Col Goldsborough

A Bill from the Lower house by Mess.^{rs} Gordon and Tilghman
 Entituled An Act for Granting a further Supply towards his Maj-
 estys Service thus Endorsed

By the Lower house of Assembly 5 July 1755.

Read the first and Second time by an Especial Order and will pass
 Signed p Order M Macnemara Cl Lo H.^o

And the following Message

By the Lower House of Assembly, 5 July 1755

May it please your honours

[This message is printed in full in the Lower House Journal,
 page 164.]

Read the first time in this house and Ordered to lye on the Table

A Bill from the Lower house by Mess.^{rs} Gresham and Ward
 Entituled an Act for Prolonging the time of Inspecting Tobacco
 for this present year & Other purposes therein mentioned

By the Lower house of Assembly 5 July 1755.

Read the first and Second time by an Especial Order and will pass
 Signed p Order M Macnemara Cl Lo H.^o

Read the first and Second time in this house by an Especial Order
and will not pass, Sent to the Lower house by Benedict Calvert Esq^r
Adjourned till three of the Clock in the Afternoon

U. H. J.
Liber No. 35
July 5

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Seven Engrossed Bills from the Lower house by Doctor Carroll
& Mr Gray Viz.^t The Bill Entituled an Act continuing an Act
Entituled an Act for ascertaining the allowance of Petit Jurors
attending the Provincial Courts to limit Costs with Respect to
Witnesses & for Settling their Allowance as to itinerant Charges.
The Bill Entituled continuing an Act Entituled an Act for the
destroying Squirrells and Crows in the Several Counties therein
mentioned The Bill Entituled an Act continuing an Act for the
Relief of such Persons as cannot find Surety for their Appearance
to Testify as Witnesses against Persons arrested accused or prose-
cuted for any Criminal Matter. The Bill Entituled an Act continuing
an Act Entituled an Act to prevent disabled & superannuated Slaves
being Set free or the Manumission of Slaves by any last Will or
Testament. The Bill Entituled an Act continuing an Act Entituled
an Act for the more effectual destroying Squirrels and Crows in the
Counties of Kent Queen Anns and Talbot and for destroying red
Foxes in the said Counties. The Bill Entituled an Act for purchasing
two Acres of Land in the Upper part of Worcester Parish in
Worcester County and building a Chappel of Ease thereon. The
Bill Entituled an Act for building a Church in S.^t Marys White
Chappel parish in Dorchester County Severally thus Subscribed.

p. 46

5th July 1755

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo H.^o

Read & assented to by this house and Ordered to be so Subscribed

Read the Second Time the Bill Entituled an Act for Granting a
further Supply towards his Majestys Service and will not pass
Sent to the Lower house by Samuel Chamberlaine Esq.^r with the
following Message

By the Upper house of Assembly 5th July 1755.

Gentlemen

We have considered your Bill Sent up this Morning for granting
a further Supply towards his Majestys Service, and find that it is
upon the same Plan with that returned you the other day except
the addition of a duty upon Melasses and Sugar, which we are of
opinion does not Remove our objections mentioned in our Message

U. H. J. to your first Bill for Granting the Same Supply and therefore We
 Liber No. 35 cannot pass this Bill
 July 5

Signed p Order John Ross Cl Up H.^o

The following Message from the Lower house with the Bill
 Entituled an act for Securing the Western Frontier &c. by Mess.^{rs}
 Hawkins and Crabb

By the Lower House of Assembly 5 July 1755

May it please your honours

[This message is printed in full in the Lower House Journal,
 page 165.]

The following Message is Sent to the Lower house with the Bill
 for Securing the Western Frontiers by Col Tasker.

By the Upper house of Assembly 5th July 1755.

p. 47 Gentlemen

In Answer to your Message with the return of the Bill, for
 Securing the Western Frontiers We must observe to you that such
 return after a Negative passed by this house is irregular; We should
 have been very ready to have explained ourselves as to the particular
 Objections We thought the Bill justly liable to, if you had desired
 us so to do in the usual Method of Proceedings between the two
 houses and We Assure you that We are so Sensible of the dangers
 to which our fellow Subjects on the Western Frontiers are exposed,
 that we shall be glad to Agree with you on a Bill for their Security,
 and hope you will find a proper Expedient for that purpose.

Signed p Order John Ross Cl Up H.^o

Two Engrossed Bills from the Lower house by Mess.^{rs} Golds-
 borough & Gresham Viz^t The Bill entituled an Act to prevent the
 Exportation or Carrying out of this Province Ammunition War-
 like Stores or Provisions of any kind towards Supplying the French
 or their Allies and the Bill Entituled an Act for the Relief of Thomas
 Lambden & Nathan Brittingham languishing Prisoners in Worcester
 County Goal Thomas Todd Jasper Hall and Daniel Wells languish-
 ing Prisoners in Ann Arundel County Goal Benjamin Berry a
 languishing Prisoner in Prince Georges County Goal Thomas Reyn-
 olds a languishing Prisoner in Frederick County Goal and Edward
 Dogan a languishing Prisoner in Baltimore County Goal thus Sub-
 scribed

5 July 1755

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo H.^o

Read and assented to by this house and Ordered to be so Sub-
 scribed

Adjourned till Monday Morning ten of the Clock

Monday Morning 7 July 1755

This house met again according to Adjournment

U. H. J.
Liber No. 35
July 7

Present

The honourable	{	Benjamin Tasker Esq. ^r	{	Col Benjamin Tasker
		Col Charles Hammond		Benedict Calvert Esq. ^r
		Samuel Chamberlaine Esq. ^r		Col William Goldsborough
		Philip Thomas Esq. ^r		

An Engrossed Bill from the Lower house by Mess.^{rs} Stoddart & Tolly Entituled an Act to impower John Greeniff Howard of Baltimore County Planter to dock the Entail of 249 acres of Land part of a Tract of Land called Harborough lying in Ann Arundel County and to Sell and Convey the Same in fee Simple and to Entail Other Lands of Equal Value in lieu thereof thus Subscribed

7 July 1755

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo H.^o

Read and assented to by this house and Ordered to be so Subscribed

Read the second time the Bill Entituled an Act for raising two pence Sterling for every hogshead of Tobacco exported out of this Province for payment of an agent in Great Britain for the Service of this Province and will not pass Sent to the Lower house by Samuel Chamberlaine Esq^r

The Several Paper Bills the Originals whereof have passed both houses this Session are Sent to the Lower house by Benedict Calvert Esq^r

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

p. 48

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 8th July 1755

July 8

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

U. H. J. A Bill from the Lower house by Mess.^{rs} Mackall and Gray Entituled an Act to prevent any Person or Persons within this Province from exporting Provisions of any kind Ammunition or Warlike Stores for the time therein mentioned thus Endorsed

Liber No. 35
July 8

By the Lower house of Assembly 8.th July 1755

Read the first and Second time by an Especial Order and will pass

Signed p Order M Macnemara Cl Lo H.^o

Read the first time in this house and Ordered to lye on the Table

Read the Second time by an Especial Order and will pass with the following Amendments, Leave out after the word, applyed, in the 17th Line of the first Page to the word, Provided, in the 13th Line of the 2^d Page and insert the following, that is to Say, One third part to the use of the Right honourable the Lord Proprietary his heirs and Successors, One third part to the Governor Commander in Chief of this Province for the time being, and the other third part to such Person or psons as shall Sue for the Same, to be Recovered in any Court of Record within this Province by Action of Debt Bill Plaint or Information wherein no Essoign Protection or Wager at Law shall be allowed, Sent to the Lower house by Col Hammond.

Ordered that the Clerk of this house Receive the Same fees on all private Bills passed this Session as are allowed by the Lower house to their Clerk

Col. Charles Hammond & Samuel Chamberlaine Esq.^r are Sent to the Lowerhouse to acquaint the Speaker that his Excellency requires his immediate attendance with the Lower house in the Upper house to See the Laws passed both houses this Session receive the Assent.

The Lower house attend & by their Speaker present to his Excellency the following Bills viz.^t

An Act to impower Ann Chambers Widow to Sell certain Lands which Samuel Chambers late of Ann Arundel County died Possessed of in fee simple for Payment of his Debts.

An Act continuing an Act Entituled an Act for ascertaining the allowance of Petit Jurors attending the Provincial Courts to limit Costs with Respect to Witnesses and for Settling their Allowance as to itinerant Charges.

An Act continuing an Act entituled an Act for the destroying Squirrels and Crows in the Several Counties therein mentioned.

An Act continuing an Act Entituled an Act for the Relief of such Persons as cannot find Surety for their Appearance to Testify as a Witness against any Person arrested accused or prosecuted for any Criminal Matter.

An Act continuing an Act Entituled an Act to prevent disabled and superannuated Slaves being Set free or the Manumission of Slaves by any Last Will or Testament

U. H. J.
Liber No. 35
July 8
p. 49

An Act continuing an Act Entituled an Act for the more effectual destroying Squirrells and Crows in the Counties of Kent Queen Anns and Talbot & for destroying red Foxes in the said Counties.

An Act for purchasing two Acres of Land in the Upper part of Worcester Parish in Worcester County and building a Chappel of Ease thereon

An Act for building a Church in S.^t Mary White Chappel Parish in Dorchester County.

An Act to Prevent the Exportation or Carrying out of this Province Ammunition Warlike Stores or Provisions of any kind towards Supplying the French or their Allies.

An Act for the Relief of Thomas Lambden & Nathan Brittingham languishing prisoners in Worcester County Goal Thomas Todd Jasper Hall & Daniel Wells languishing Prisoners in Ann Arundel County Goal Benjamin Berry a languishing Prisoner in Prince Georges County Goal Thomas Reynolds a languishing Prisoner in Frederick County Goal & Edward Dogan a languishing Prisoner in Baltimore County Goal

An Act to empower John Greeniff Howard of Baltimore County Planter to dock the Entail of 249 Acres of Land part of a Tract of Land called Harborough lying in Ann Arundel County and to Sell and Convey the same in fee Simple & to Entail other Lands of Equal Value in Lieu thereof

All which his Excellency passed into Laws in the usual form by Sealing them with the Right honourable the Lord Proprietary his Great Seal at Arms, and Subscribing them on behalf of the Right honourable the Lord Proprietary of this Province. I will this be a Law.

After which his Excellency was pleased to Conclude this Session with the following Speech

Gentlemen of the Upper and Lower houses of Assembly

Finding the Business, for which you were convened must be left undone; I have thought fit, with the Advice of his Lordships Council of State, to prorogue this Assembly to the first day of January next, and you are to take Notice you are prorogued to that Day accordingly

Thus Ends this Session of Assembly begun and held at the City of Annapolis on Monday the 23^d Day of June & Ending on Tuesday the 8th day of July following in the 5.th year of his Lordships Dominion and in the 29th year of his Majestys Reign Annoq^{uo} Domini 1755

J Ross Cl Up H^o

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

L. H. J.
Liber No. 48
1755, June 23
p. 96

At a Session of Assembly held at the City of Annapolis, on Monday the 23d Day of June, in the Year of our Lord God, One Thousand Seven Hundred and Fifty-five, and in the Fifth Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. his Excellency Horatio Sharpe, Esq; being Governor Appeared in the Lower House of Assembly,

The Honourable Col.^o Henry Hooper, Speaker;

For St. Mary's County,

M.^r William Hicks.

For Kent County,

M.^r William Hynson,
Cap.^t Alexander Williamson,
M.^r Hugh Wallis.

For Anne-Arundel County,

Philip Hammond, Esq;
Dr. Charles Carroll,
Major Henry Hall,
Cap.^t John Gassaway.

For Calvert County,

Col. William Fitzhugh,
M.^r Thomas Reynolds,
M.^r James John Mackall,
M.^r Benjamin Mackall.

For Charles County,

Cap.^t John Stoddert,
Cap.^t John Jordan,
M.^r Henry Moore.

For Talbot County,

M.^r John Goldbsorough.

For Dorchester County,

M.^r Joseph Cox Gray,

For Baltimore County,

M.^r John Paca,
M.^r William Govane.

For Cæcil County,

Major Nicholas Hyland,
M.^r Henry Ward.

For Prince-Georges County,

M.^r William Murdock,
M.^r George Fraser,
M.^r John Hawkins, junr.

For the City of Annapolis,

M.^r Stephen Bordley,
M.^r Walter Dulany.

For Queen-Anne's County,

M.^r Robert Lloyd,
Col. Edward Tilghman,
M.^r Henry Casson,
M.^r John Bracco.

For Worcester County,

Col. John Scarborough,
Col. John Henry,
Major John Evans.

For Frederick County,

M.^r Henry Wright Crabb,
M.^r Joseph Chapline.

A sufficient Number of the Members of the Lower House being convened at the Stadt House, Ordered, That Mr. John Goldsborough, and Mr. Govane, do acquaint his Excellency therewith.

L. H. J.
Liber No. 48
June 23

They return and acquaint Mr. Speaker that they delivered the Message.

Col. Hammond, and Samuel Chamberlaine, Esq; from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and (with the other Members of the Lower House) went to the Upper House; where his Excellency made the following Speech, p. 97

Gentlemen of the Upper and Lower Houses of Assembly

[The speech which follows is printed in full in the Upper House Journal, pages 121-2.]

Mr. Speaker (with the other Members) returned to the Lower House and re-assumed the Chair. p. 98

On Motion, Ordered, That his Excellency the Governor's Speech be Read.

The Governor's Speech was Read, and ordered to lie on the Table.

Ordered, That the Gentlemen who were on the several Committees last Session, be continued thereon this Session.

Ordered, That the Rules of the House observed last Session, be observed as such this Session.

Resolved, That the Hours of Sitting for Dispatch of Public Business, be from Eight until Twelve before Noon, and from Two until Six Afternoon.

Ordered, That Mr. Dulany, do acquaint the Reverend Mr. Mac Pherson, that he is desired, by this House, to read Divine Service, Morning and Evening, during this Session.

Ordered, That Mr. Speaker do issue his Warrant, directed to the Deputy Secretary of this Province, forthwith to make out a new Writ of Election, directed to the Sheriff of St. Mary's County, to elect a Delegate to serve in this Assembly, in the Room of Mr. Jeremiah Chase, deceased.

On Motion, Ordered, That the Committee of Laws do prepare and bring in an Address to his Excellency, in Answer to his Speech.

The House adjourns till the morrow Morning at 8 of the Clock.

Tuesday, 24th June 1755.

June 24

The House met according to Adjournment: The Members were called and all appeared as Yesterday. The Proceedings of Yesterday were read.

Mr. Buchanan, Mr. Tolley, Mr. Edmondson & Mr. Edge, appeared in the House.

The House adjourns till 2 of the Clock Afternoon.

L. H. J.
Liber No. 48
June 24
p. 99

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Beall appeared in the House.

Philip Hammond, Esq; from the Committee of Laws, brings in, and delivers to Mr. Speaker, an Address to his Excellency, which was Read, Approved, and ordered to be Ingrossed.

Philip Hammond, Esq; from the Committee of Laws, brings in, and delivers to Mr. Speaker, the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, return your Excellency our Thanks for your kind Speech at the Opening of this Session, and the Letter and Estimate laid before us.

We shall take the Subject Matter therein recommended, under our immediate and most attentive Consideration, and flatter ourselves our speedy Resolutions thereupon, will fully demonstrate our Readiness to embrace the Opportunity that now presents itself, of manifesting an unshaken Loyalty to the best of Kings, a just Sense of his royal and paternal Care of all his Subjects, however remote from the happy Influence of his more immediate Protection; and at the same Time, a steady Adherence, and immoveable Attachment, to the true Interests, Rights and Privileges, of those from whom our Power of forming Resolutions is delegated.

We still continue (as we always have been) in the strongest Inclinations to do every Thing reasonably within our Power, which may contribute to this laudable End; and entertain the most sanguine Hopes that we shall not now, in the Course of our Proceedings, meet with any Rock upon which we shall split, or which may in the least obstruct the granting Supplies, with the Dispatch necessary to render effectual our sincere Intentions for his Majesty's Service, and the common Safety of Ourselves and Fellow-Subjects.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Bordley, and Mr. Murdock, do acquaint his
p. 100 Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that his Excellency was pleased to signify, he would be ready to receive the Address immediately, in the Conference Chamber.

Ordered, That Philip Hammond, Esq; and Thirteen more, do present the Address to the Governor.

On Motion, The Question was put, That an Address be prepared to his Excellency, to know what Quota was settled, by Agreement, at Alexandria, to be furnished by the Province of Maryland? Resolved in the Affirmative.

L. H. J.
Liber No. 48
June 24

Ordered, That Mr. Hammond, Mr. Tilghman, Mr. Lloyd, and Mr. Murdock, do prepare and bring in such Address.

The House adjourns till the morrow Morning at 8 of the Clock.

Wednesday, 25th June, 1755.

June 25

The House met according to Adjournment, &c.

Philip Hammond, Esq; from the Committee appointed to prepare an Address to his Excellency, brings in, and delivers to Mr. Speaker, an Address to his Excellency the Governor, which was read, approved, and ordered to be ingrossed.

Philip Hammond, Esq; from the Committee appointed to prepare an Address to his Excellency, brings in, and delivers to Mr. Speaker, the following ingrossed Address, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We observe by General Braddock's Letter, laid before us by your Excellency, that he has Reason to apprehend the French will abandon and destroy their Fortification on the Ohio, with it's Guns, &c. which, if they should, he will either repair, or construct some Place of Defence, and leave it Garrisoned by Virginia and Maryland Forces: But that the Artillery, Ammunition, Stores, Provisions, &c. must be immediately supplied by the Governments of Virginia, Maryland, and Pennsylvania, separately or jointly, according to the Agreement made at Alexandria: From whence we conceive that at the late Congress held there, upon forming Estimates of the Expences necessary for the common Service, the Proportions were stated and agreed upon, which it was thought reasonable for each Province to contribute towards the whole, or each particular Service, and more especially that which occasions the present Requisition; if so, your Excellency's Favour in communicating it to us, may be a great Mean of expediting our Resolutions on that important Affair. p. 101

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Philip Hammond, Esq; and Col. Tilghman, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that

L. H. J.
Liber No. 48
June 25

the Governor was pleased to signify, he would be ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Lloyd, and Three more, do present the Address.

His Excellency the Governor communicates to Mr. Speaker the following Message, viz.^t

Gentlemen of the Lower House of Assembly,

I return you Thanks for your Address, and your Promise to take the Matters, which my Duty has obliged me to recommend to you, under your immediate Consideration. Your Expressions of Affection, Zeal, and Duty, to the Best of Kings, give me great Satisfaction: And I beg Leave to assure you, that a Disposition to promote the true Interests of your Constituents, and to preserve to them their just Rights and Privileges, shall never be wanting on my Part; and I shall rejoice to see you carefully avoid every thing at this Time, which may tend to occasion a Division among the several Branches of the Legislature, and to render our Intentions for his Majesty's Service, and the common Safety of Ourselves and Fellow Subjects, ineffectual.

Hor.^o Sharpe.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

p. 102 Mr. Handy appeared in the House.

His Excellency the Governor communicates to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

In Answer to your Address that was this Morning presented me, I must acquaint you, that when we met the General at Alexandria, it was not easy to judge what Difficulties would occur to him in the Execution of the Plan of Operations, which was there concerted. As to an Agreement, that each Colony should furnish a certain Quota of Men or Money for the Service, none was entered into, it being apprehended that such a Stipulation might not have been agreeable to the respective Assemblies. We were however unanimous, that these three Provinces ought to be at the Expence of constructing and supporting some Place of Defence on the Ohio, for the future Security of these his Majesty's Dominions, and I persuade myself you will not entertain different Sentiments with respect to that Matter. What Sum of Money will be requisite to support the Men that are at present in the Pay of this Province, for any certain Time, you already know. The Expence of providing and conveying a sufficient Quantity of Victuals and Military Stores to the Fort, will, you must

be sensible, be pretty considerable: I am informed, that the Assembly of Virginia have voted Six Thousand Pounds for that Purpose, and toward defraying the Charge of building a Fort, or raising additional Works to that of the Enemy's, in case of it's Reduction. I choose rather to leave it to yourselves to determine, than specify myself, what will be reasonable for this Government to contribute thereto; but I hope you will not think of less than Four Thousand Pounds, and that Sum, I am told, you may appropriate without imposing any Burthen on the People at this Time.

L. H. J.
Liber No. 48
June 25

Hor.^o Sharpe.

On considering his Excellency's Message of this Afternoon, the Question was put, Whether the Sum of £5000 be raised for his Majesty's Service, or Not? Resolved in the Affirmative.

On Motion, The Question was put, Whether the Money arising upon Ordinary Licences, shall be one of the Ways and Means, whereby the Sum of £5000 be replaced Resolved in the Affirmative.

For the Affirmative,

Hicks,	Stoddert,	Murdock,	p. 103
Hynson,	Jordan,	Fraser,	
Williamson,	Moore,	Hawkins,	
Wallis,	J. Goldsborough,	Lloyd,	
Hammond,	Edmondson,	Tilghman,	
Carroll,	Edge,	Bracco,	
Hall,	Gray,	Scarborough,	
Gassaway,	Paca,	J. Henry,	
Fitzhugh,	Tolley,	Evans,	
Reynolds,	Govane,	Crabb,	
J. Mackall	Hyland,	Chapline,	
B. Mackall,	Ward,	Beall.	[36]

For the Negative,

Buchanan,	Dulany,	Casson.	
Bordley,			[4]

Ordered, That the several Gentlemen of the Committee of Laws, be a Committee to enquire into further Ways and Means for raising the Sum of £5000 for his Majesty's Service.

Ordered, That Mr. John Goldsborough, Mr. Murdock and Mr. Edge, be added to the Committee, to enquire into further Ways and Means for raising the Sum of £5000 for his Majesty's Service.

The following Message:

By the Lower House of Assembly, June 25, 1755.

May it please your Honours,

This House hath appointed Mr. Dulany, Mr. Earle, Col. John Henry, Mr. Edge, Mr. Beall and Mr. Handy, a Committee from

L. H. J. this House, to inspect the Accounts and Proceedings of the Commis-
 Liber No. 48 sioners for emitting Bills of Credit, established by Act of Assembly,
 June 25 and desire your Honours to appoint one or more Members of your
 House to join in the said Committee.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, by Mr. Dulany and Mr. Handy.

Samuel Chamberlaine, Esq; from the Upper House, delivers to
 Mr. Speaker the following Message, viz.

By the Upper House of Assembly, June 25, 1755.

Gentlemen,

This House hath appointed Samuel Chamberlaine, Esq; to join
 the Members named by your House in a Committee, to inspect the
 Accounts and Proceedings of the Commissioners of the Paper Cur-
 rency Office.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till the morrow Morning at 8 of the Clock.

June 26

Thursday, 26th June, 1755.

p. 104

The House met according to Adjournment, &c.

Mr. John Dennis, Mr. Charles Goldsborough and Mr. Mills,
 appeared in the House.

The Petition of John Greenif Howard, of Baltimore County,
 praying Leave to bring in a Bill, To cut off the Entail of Part of a
 Tract of Land called Harborough, lying in Anne-Arundel County,
 and to entail Lands, of equal Value, in Lieu thereof, which was
 referred, last Session, to the Consideration of this Session of As-
 sembly, was now read; and, Ordered, That Col. John Henry,
 Mr. Paca, Mr. Buchanan, Mr. Govane, and Capt. Gassaway, be a
 Committee to enquire into the Allegations, and Facts, contained in
 the said Petition, and that they do Report the same to the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Dulany, from the Committee appointed to inspect the Office
 and Proceedings of the Commissioners, for emitting Bills of Credit,
 &c. brings in, and delivers to Mr. Speaker, the following Report, viz.

[The report is printed in full in the Upper House Journal, pages
 125-6.]

p. 106

Which Report was read, and the House concurs therewith.

Mr. Lloyd, from the Committee appointed to consider of Ways
 and Means to raise the Sum of £5000 &c. brings in, and delivers to
 Mr. Speaker, the following Report, viz.^t

By the Committee appointed by the House of Delegates, to consider of Ways and Means to raise the Sum of Five Thousand Pounds for his Majesty's Service, and to replace the same.

L. H. J.
Liber No. 48
June 26

Your Committee find, That there is in the Office for emitting Bills of Credit, the Sum of £3829:2.11½ and propose, that of the said Sum, together with any other Sum that shall next be brought into the said Office, the Commissioners or Trustees of the same Office, pay the Sum of £5000 for his Majesty's Service, in such Manner, and at such Times, as shall be needful and appointed: And that for the Replacing and Repayment of the said Sum of £5000 the several Impositions and Duties following be laid and continued, viz.

Ordinary Licences, (which at present amount to)	£. 644
Wheel Carriages,	241
Billiard Tables, at £3 each,	63
Pedlars Licences,	40
Servants for Seven Years, or upwards, 20s. per.	500
Servants for less than Seven Years, by Indenture or other- wise,, 5s. per.	150
Additional Duty on Negroes, of 10s. per Head contined, . . .	50
Duty on Madeira, and all Wines, except from Great-Britain, 2d. per Gallon,	100
	<hr/>
	£. 1788

Which your Committee conceive will nett £1650 per Annum.

All which is humbly submitted to your Honourable House.

Signed p Order Th.^o Johnson Jun.^r Clk Comⁿ

Which Report was read, and the House concurs therewith.

A Motion (that Leave may be given to bring in a Bill, for raising the Sum of £5000 Current Money, of this Province, for his Majesty's Service), was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. p. 107

The House adjourns till the morrow Morning at 8 of the Clock.

Friday, 27th June, 1755.

June 27

The House met according to Adjournment, &c.

A Motion (that Leave be given to bring in a Bill, to revive and continue the Act, entituled, An Act to prevent the People of this Province from supplying the French, or their Indian Allies, with Ammunition, Warlike Stores, or Provisions of any Kind), was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

L. H. J.
Liber No. 48
June 27

A Motion (that Leave be given to bring in a Supplementary Bill to the Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees), was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

William Goldsborough, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of sundry Inhabitants of Talbot County, &c. praying Leave to bring in a Bill, To order and direct the Vestrymen, and Church-Wardens, of St. Paul's Parish, annually to nominate four of the Inhabitants of Talbot County, that two of them may be appointed Inspectors at the Warehouse at Philip Emerson's Landing;

A Petition of Anne Chambers, Relict and Administratrix of Samuel Chambers, late of Anne-Arundel County, deceased, praying Leave to bring in a Bill, To enable her to sell and dispose of the Real Estate, which he the said Samuel died possessed of, to discharge his the said Samuel's several Debts, due on Mortgages, Bonds, and other Specialties and Simple Contracts, &c.

The Petition of the Inhabitants of the Upper Part of Worcester Parish, in Worcester County, praying Leave to bring in a Bill, To erect a Chapel of Ease, &c. And,

The Petition of Thomas Lambden and Nathan Brittingham, languishing Prisoners in Worcester County Goal, praying to be released from Confinement.

Which Petitions were severally Indorsed, "By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly."

p. 108 The House adjourns till the morrow Morning at 8 of the Clock.

June 28

Saturday, 28th June, 1755.

The House met according to Adjournment, &c. All appeared as Yesterday, except Col. Fitzhugh.

On reading the Petition of Ann Chambers, Administratrix of Samuel Chambers, late of Anne-Arundel County, deceased: Ordered That Doctor Carroll, Major Hall, Capt. Gassaway and Mr. Williamson, be a Committee to enquire into the Allegations and Facts contained in the said Petition, and that they do Report the same to the House.

The Petition of sundry Inhabitants of Talbot County: The Petition of the Inhabitants of the Upper Part of Worcester Parish,

in Worcester County: The Petition of Thomas Lambden and Nathan Brittingham, Prisoners in Worcester County Goal; severally referred from the Upper House, were here Read and Granted.

L. H. J.
Liber No. 48
June 28

Capt. Gassaway, from the Committee appointed to enquire into the Allegations and Facts contained in the Petition of Ann Chambers, of Anne-Arundel County, brings in, and delivers to Mr. Speaker, the following Report, viz.

By a Committee for inspecting and enquiring into the several Matters contained in the Petition of Anne Chambers, of Anne-Arundel County.

Your Committee having duly examined and considered the same, do find, That the several Facts set forth in the said Petition are true.

Which is humbly submitted to the Consideration of your Honourable House.

Signed p Order, Beal Nicholson, Clk Com.

Which was read, and the House concurs therewith, and Leave is given to the Petitioner to bring in a Bill according to Prayer.

Philip Hammond, Esq; from the Committee of Laws, brings in, and delivers to Mr. Speaker a Bill, entituled, An Act for granting a further Supply towards his Majesty's Service; which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Philip Hammond, Esq; and Three more.

On Motion, the Question was put, Whether Mr. Lloyd Buchanan, accepting of a Commission from Henry Darnall, Esq; Attorney General, for the Prosecutor's, Place in Baltimore County, by shewing the same to the Chief Justice of the Court, and leaving it in his Hands, and he the said Justice shewing the same Commission to others, his Brethren, Justices on the Bench, and he the said Buchanan acting as Prosecutor at the same Court, disqualifies him from a Seat in this House: Resolved in the Affirmative.

Ordered, That Mr. Speaker do acquaint Mr. Buchanan, That he is dismissed from any further Attendance on this House; which Mr. Speaker accordingly did, and Mr. Buchanan withdrew. p. 109

Ordered, That Mr. Speaker do issue his Warrant, directed to the Deputy Secretary, to make out a Writ of Election, to elect a Delegate to serve in this present Assembly, in the room of Mr. Lloyd Buchanan, whose Seat is become vacant.

His Excellency the Governor communicates to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I have just received Letters from Colonel Innes at Fort Cumberland, and from the Back Inhabitants of Frederick County, advising me, that a Party of French Indians, last Monday Morning,

L. H. J.
Liber No. 48
June 28

fell on the Inhabitants of this Province, and killed two Men and one Woman who have been since found dead; eight other Persons they have taken Prisoners and carried off. The Names of the Persons who were murdered and left, are John Williams, his Wife and Grandson; and with their Bodies was also found that of a French Indian. The Persons carried off, are Richard Williams a Son of John who was murdered, with two Children, one Dawson's Wife, and four Children. Richard Williams's Wife, and two Brothers of the young Man that is killed, have made their Escape. This Accident, I find, has so terrified the distant Inhabitants, that many of them are retiring and forsaking their Plantations. Another Letter from Winchester in Virginia informs me, that a Party of Indians have also attacked the Back Inhabitants of that Province, of whom they have killed eleven, and carried away many Captives.

Apprehending the French would proceed in this Manner, as soon as General Braddock and the Troops under his Command, should have passed the Mountains, and being confirmed in my Opinion by an Intimation in the General's Letter, I issued a Proclamation near a Month since, cautioning the distant and other Inhabitants of this Province, to be on their Guard, and unite for their common Defence and Safety; at the same Time, I sent peremptory Orders and Instructions to the Officers of the Militia of Frederick County, frequently to muster and discipline their several Troops and Companies once a Fortnight at least; and in case of an Alarm, that the Enemy was approaching, or had fallen on the Inhabitants, to march out and act either offensively or defensively, and use all Means to protect and defend the Inhabitants from the Devastations of the French, or their Indians: However, I find neither the Proclamation or Instructions will be effectual, unless the Militia can be assured, that they shall receive Satisfaction and Pay for the Time that they shall be out on Duty. I should think it highly proper for us to have about a Hundred, or at least a Company of Sixty Men, posted, or constantly ranging, for some Time, on the Frontiers, for our Protection: In this I desire your Advice, and that you will enable me to support such a Number.

p. 110

Gentlemen,

At the General's Request, and that I might receive early Intelligence at this Time from the Camp and the Back Inhabitants, I have engaged several Persons, between this Place and Wills's-Creek, to receive and speedily convey any Letters that shall come to them directed for the General or myself: I doubt not you will be convinced of the Necessity of such a Measure, and provide for the Expence thereof.

Hor.^o Sharpe.

The House adjourns till 2 of the Clock.

Post-Meridiem.

L. H. J.
Liber No. 48
June 28

The House met according to Adjournment, &c.

On reading and considering his Excellency's Message of this Morning, Resolved, That this House will make suitable Provision for the paying and maintaining Eighty Men, including Officers, four Months (if Occasion) for ranging on the Frontiers of this Province, to protect the same against the Incursions and Depredations that may be attempted or made by the French, or their Indian Allies.

Resolved further, That this House will defray the reasonable Expence of conveying Intelligence from Wills's-Creek to Annapolis, and back thither, for four Months.

Resolved also, That this House will Address his Excellency, to acquaint him with the Resolves of this House.

Ordered, That Mr. Bordley, Mr. Chas. Goldsborough, and Mr. Dulany, do prepare and bring in such Address.

Ordered, That Philip Hammond, Esq; Dr. Carroll, Col. Tilghman, Mr. Lloyd, Mr. John Goldsborough, Mr. Edge, Col. Henry, Mr. Murdock, and Mr. Williamson, be a Committee for enquiring into Ways and Means to raise a Sum sufficient for Payment of Eighty Rangers, to protect and defend the Frontiers, and for defraying the Expence of conveying Intelligence from Wills's-Creek to Annapolis, and back thither, and that they do Report the same to the House.

Mr. Bordley, from the Committee appointed, brings in, and delivers to Mr. Speaker, an Address to his Excellency, which was read, approved, and ordered to be ingrossed. p. 111

Mr. Bordley brings in, and delivers to Mr. Speaker, the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

This House having taken into Consideration your Excellency's Message of this Day, have thereupon come to the following Resolves:

"Resolved, That this House will make suitable Provision for the paying and maintaining Eighty Men, including Officers, for four Months (if Occasion) for ranging on the Frontiers of this Province, to protect the same against the Incursions and Depredations that may be attempted or made by the French, or their Indian Allies.

"Resolved further, That this House will defray the reasonable Expence of conveying Intelligence from Wills's-Creek to Annapolis, and back thither, for four Months."

L. H. J.
Liber No. 48
June 28

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Bordley, and Mr. Charles Goldsborough, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that his Excellency was pleased to signify, he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Murdock, and Five more, do present the Address to his Excellency.

The House adjourns till Monday Morning at 8 of the Clock.

June 30

Monday, 30th June, 1755.

The House met according to Adjournment, &c.

p. 112 Col. Fitzhugh, M.^r Reeder, and Capt. Addison, appeared in the House.

Col. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act reviving and continuing an Act entituled, An Act to prevent the People of this Province from supplying the French, or their Indian Allies, with Ammunition, Warlike Stores, or Provisions of any Kind; which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. Charles Goldsborough and Mr. Govane.

Col. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act continuing an Act entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter; a Bill entituled, An Act continuing an Act entituled, An Act for ascertaining the Allowance of Petit-Jurors attending the Provincial Court, to Limit Costs with respect to Witnesses, and for settling their Allowances as to itinerant Charges; a Bill entituled, An Act continuing an Act entituled, An Act for the more effectual destroying Squirrels and Crows in the Counties of Kent, Queen-Anne's, and Talbot, and for destroying red Foxes in the said Counties; a Bill entituled, An Act continuing an Act entituled, An Act for destroying Squirrels and Crows in the several Counties therein mentioned; And, a Bill entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves, by any last Will or Testament; which Bills were severally read the first and second Time, by an especial Order, and will pass, and were sent to the Upper House, by Col. Fitzhugh and Mr. Casson.

A Motion, that Leave be given to bring in a Bill, For the Support of an Agent to manage Affairs of this Province, in Great-Britain, was granted: L. H. J.
Liber No. 48
June 30

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Philip Hammond, Esq; from the Committee for enquiring into Ways and Means, &c. brings in, and delivers to Mr. Speaker, the following Report, viz.

By the Committee appointed by the House of Delegates, for enquiring into Ways and Means to raise a Sum sufficient for Payment of Eighty Rangers, to protect and defend the Frontiers, and for defraying the Expence of conveying Intelligence from Wills's-Creek to Annapolis, and back thither.

Your Committee propose, That the Sum of £1500 Part of the £4015.6 Bills of Credit now remaining signed in the Paper Currency Office, and not yet circulated, be immediately issued and made current. p. 113

And that for the sinking the said £1500 the following Duties be laid, viz.

Duty of 1½d. per Gallon, on all Rum imported in Country Bottoms,	£300
Additional Duty on all Wine, of 2d. per Gallon, to be imported, other than immediately from Great-Britain, . . .	100
Additional Duty on Convicts, of 5s. each,	125
	<hr/>

Which is per Annum, £525

All which is humbly submitted to your Honourable House.

p Order, Thomas Johnson, Jun.^r Clk Comm.

Which was read, and the House concurs therewith.

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till the morrow Morning at 8 of the Clock.

Tuesday, 1st July, 1755.

July 1

The House met according to Adjournment, &c.

Col. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act for purchasing Two Acres of Land in the Upper Part of Worcester Parish, in Worcester

L. H. J. County, and building a Chapel of Ease thereon; which was read
 Liber No. 48 the first and second Time, by an especial Order, and will pass, and
 July 1 was sent to the Upper House, by Col. John Henry and Col. Scarborough.

On Motion, Resolved, That this House will not proceed this Session, on any new Business after this Day.

The House adjourns till 2 of the Clock.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Gresham, and Mr. Baker, appeared in the House.

A Bill entituled, An Act to impower Ann Chambers, Widow, to sell certain Lands which Samuel Chambers, late of Anne Arundel County, died possessed of in Fee Simple, for Payment of his Debts; which was read the first Time, and ordered to lie on the Table.

p. 114 Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act for granting a further Supply towards his Majesty's Service; indorsed, By the Upper House of Assembly, July 1, 1755, Read the second Time, and will not pass.

Signed per Order, J. Ross, Cl. Up. Ho.

And the following Message, viz.

By the Upper House of Assembly July 1, 1755.

[The message which follows is printed in full in the Upper House Journal, page 129.]

On Motion, the Question was put, Whether the following Question shall be now put, viz. Whether it shall be Resolved, that the Statute of First William and Mary, Cap. xviii. with all the Penal Statutes therein mentioned, as also, the said Statute, extend to this Province, or Not? Resolved in the Affirmative.

For the Affirmative,

p. 115	Mills,	Stoddert,	Addison,
	Reeder,	Jordan,	Murdock,
	Hicks,	Handy,	Fraser,
	Hynson,	J. Goldsborough,	Hawkins,
	Williamson,	Edmondson,	Lloyd,
	Gresham,	Edge,	Tilghman,
	Wallis,	Gray,	Bracco,
	Hammond,	Hall,	Scarborough,
	Carroll,	Paca,	J. Henry,
	Gassaway,	Tolley,	Evans,
	Fitzhugh,	Govane,	Crabb,
	Reynolds,	Hyland,	Chapline,
	J. Mackall,	Baker,	Beall,
	B. Mackall,	Ward,	Moore.

For the Negative,

Dennis,
C. Goldsborough,

Bordley,
Dulany,

Casson.

[5]

L. H. J.
Liber No. 48
July 1

Thereupon the Question was put, and, Resolved unanimously, That the Statute of the First William and Mary, Chap. xviii, with all the Penal Statutes therein mentioned, as also, the said Statute, extend to this Province.

The House adjourns till the morrow Morning at 8 of the Clock.

Wednesday, 2^d July, 1755.

July 2

The House met according to Adjournment, &c.

Mr. Waggaman, and Major Travers, appeared in the House.

On motion, Resolved, that a Message be prepared and sent to the Upper House, to enforce the Bill entituled, An Act for raising a further Supply towards his Majesty's Service: Ordered, that the Committee of Laws do prepare and bring in such Message.

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act continuing an Act entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness, &c. The Bill entituled, An Act continuing an Act entituled, An Act for ascertaining the Allowance of Petit-Jurors, &c. The Bill entituled, An Act continuing an Act entituled, An for the more effectual destroying Squirrels and Crows, in the Counties of Kent, Queen-Anne's and Talbot, &c. The Bill entituled, An Act continuing an Act entituled, An Act for destroying Squirrels and Crows, in the several Counties therein mentioned. And, the Bill entituled, An Act continuing an Act entituled, An Act to prevent disabled and superannuated Slaves, being set free, &c. Severally indorsed, "By the Upper House of Assembly, July 2, 1755. Read the second Time, and will pass.

p. 116

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bills were severally read here, and passed for ingrossing.

His Excellency the Governor communicated to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

The Letter, and Copy of an Act of Assembly herewith sent, I have received from Governor Shirley; I lay them before you, that you also may provide against the Evil which the Act of Massachusetts-Bay Government is calculated to remedy.

Hor.^o Sharpe.

L. H. J.
Liber No. 48
July 2

On reading his Excellency's Message, Resolved, that an Address be prepared to his Excellency thereon: Ordered, that the Committee of Laws do prepare and bring in such Address.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The Bill entituled, An Act to impower Anne Chambers, Widow, to sell and dispose of certain Lands, which Samuel Chambers, late of Anne-Arundel County, died possessed of, in Fee Simple, for Payment of his Debts, was read the second Time and will pass, and was sent to the Upper House, by Major Hall and Capt. Gassaway.

Mr. Charles Goldsborough, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act for securing the Western Frontier of this Province, against the Depredations of the French, and their Indian Allies; and also for paying and maintaining Couriers from Wills's-Creek to Annapolis, and back to Wills's-Creek; which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. Murdock and Mr. Reynolds.

On Motion, Resolved unanimously, that this House address his Excellency the Governor, to issue his Proclamation, commanding all Magistrates and other Officers, duly to execute the Penal Statutes, mentioned in the Statute of First of William and Mary Chap XVIII against the Roman Catholics or Papists, within this Province.

Ordered, That Dr. Carroll, Capt. Stoddert, Mr. John Goldsborough, Mr. Murdock, Col. Fitzhugh, and Mr. Charles Goldsborough, be a Committee to draw such Address, and that they do prepare and bring in the same accordingly.

p. 117 The House adjourns till the morrow Morning at 9 of the Clock.

July 3

Thursday, July 3^d, 1755.

The House met according to Adjournment, &c.

A Petition of St. Mary's White-Chapel Parish, in Dorchester County, praying Leave to bring in a Bill, To levy a Sum, not exceeding £350 on the Taxables of said Parish, at two Assessments, to build a Church in the said Parish, was Read and Granted.

Capt. Addison, from the Committee appointed for inspecting the Arms and Ammunition, and Accounts relating thereto, acquaints Mr. Speaker, that the Committee had made choice of John Duckett as Clerk to the said Committee, and desires to know if the House approves the Choice.

The House approved the Choice, and Ordered, that he do qualify as Clerk to the said Committee, in the usual Manner.

On Motion, the Question was put, Whether there shall be Duty raised of One Penny per Gallon, on Melasses, and One Shilling per Hundred on Muscovado Sugar, imported into this Province, to be applied for Repayment and Replacing the Sum of £5000 to be paid by the Bill entituled, An Act for raising a Sum, for a further Supply towards his Majesty's Service, out of the Loan Office: Resolved in the Affirmative.

L. H. J.
Liber No. 48
July 3

Ordered, That it be an Instruction to the Committee of Laws in preparing a Clause, for an additional Fund, for Repayment and Replacing the Sum of £5000 to be paid out of the Loan Office, as a further Supply towards his Majesty's Service, That a Duty of One Penny per Gallon be laid on all Melasses, and One Shilling per Hundred on Muscovado Sugars, hereafter imported into this Province.

Ordered, That the Committee of Accounts do not receive any Accounts this Session, for any Claim against the Public, after this Day.

Ordered, That the Journal of Accounts be closed this Day.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act to empower Anne Chambers, Widow, to sell certain Lands, which Samuel Chambers, late of Anne-Arundel County, died possessed of, in Fee Simple, for Payment of his Debts; indorsed, "By the Upper House of Assembly, July 3, 1755. Read the second Time and will pass.

Signed per Order, J. Ross, Cl. up. ho."

Which Bill was read here, and passed for ingrossing.

Col. Hammond, from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act for purchasing Two Acres of Land in the Upper Part of Worcester Parish, in Worcester County, and building a Chapel of Ease thereon; indorsed, By the Upper House of Assembly, July 2, 1755. Read the second Time and will pass.

Signed p Order, J. Ross, Cl. up. ho.

Which Bill was read here, and passed for ingrossing.

The following Certificate was produced to the Clerk of this House, viz.

I hereby certify, that on this third Day of July, 1755, personally appeared before me the Subscriber, one of his Lordship's Justices of the Peace for Anne-Arundel County, John Duckett, and took the several Oaths, appointed by Act of Assembly of this Province, to be taken to the Government, made, repeated, and subscribed, the Oath of Abjuration and Test, and also the following Oath, to wit,

You John Duckett do swear, that as Clerk to the Committee of Arms and Ammunition, you shall true Entries make of all such Matters and Things, as by that Committee for the Time being, shall be to you directed; the Secrets of the said Committee you shall not

L. H. J.
Liber No. 48
July 3

divulge, to the Prejudice of the said Committee, or any Member thereof, but shall in all Things, as Clerk to the said Committee, well and truly demean yourself; according to the best of your Knowledge. So help you God.

Thomas Jennings.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Williamson, and Mr. Hynson, have Leave of the House to go home.

William Goldsborough, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act for securing the Western Frontier of this Province, against the Depredations of the French and their Indian Allies; and also for paying and maintaining Couriers from Wills's-Creek to Annapolis, and back to Wills's Creeks; indorsed, "By the Upper House of Assembly, July 3, 1755. Read the second Time, and will not pass.

Signed per Order, J. Ross, Cl. Up. Ho."

And the following Mesage, viz.^t

By the Upper House of Assembly, July 3, 1755.

p. 119 [This message is printed in the Upper House Journal, pages 131-2.]

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of Thomas Todd, a Petition of Jasper Hall, and a Petition of Daniel Wells, all languishing Prisoners in Anne-Arundel County Goal; a Petition of Benjamin Berry, a languishing Prisoner in Prince-George's County Goal; and a Petition of Thomas Reynolds, a languishing Prisoner in Frederick County Goal; and a Petition of the Rector, Vestrymen, Church-Wardens of St. Anne's Parish, in Anne-Arundel County; severally indorsed, By the Upper House of Assembly, Referred to the Consideration of the Lower House of Assembly."

The Petition of Thomas, Todd, Jasper Hall, Daniel Wells, Benjamin Berry and Thomas Reynolds, languishing Prisoners, praying to be released from Confinement, on surrendering up their whole Estates, were here severally Read and Granted.

The Petition of the Rector, Vestrymen, and Church-Wardens of St. Anne's Parish, in Anne-Arundel County, was here Read, and Referred to the Consideration of next Session of Assembly.

Col. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act for building a Church in St. Mary's White Chapel Parish, in Dorchester County; which was Read the first and second Time, by an especial Order, and will

pass, and was sent to the Upper House, by Major Travers and Mr. Gray.

L. H. J.
Liber No. 48
July 3
p. 120

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of Edward Doggan, Prisoner in Baltimore County Goal; indorsed, By the Upper House of Assembly, Referred to the Consideration of the Lower House of Assembly.

The Petition of Edward Doggan, praying to be released from Confinement, on surrendering up all his Effects to the Use of his Creditors, was here Read, and Given, to bring in a Bill according to the Petitioner's Prayer.

Mr. John Goldsborough, from the Committee appointed, brings in the following Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

The Countenance and Encouragement that hath been given to Popery, and the Growth of it in this Province in Consequence thereof, is the Subject of the present Address to your Excellency, an Evil very inveterate, and which hath long called for Redress; and, however fruitless and unavailing former Addreses upon this Subject have proved, we are not discouraged from further Attempts, more especially as some late and remarkable Incidents make it seasonable and expedient at this critical Juncture. Instead of having the Expectations of the People answer'd, by the Removal of Men justly obnoxious to them, we have the Mortification to see them promoted to Offices yet more lucrative and important.

Your Excellency will not be at a Loss to know, that we mean the Attorney-General Henry Darnall, and his Brother John Darnall, Esquires, who were themselves educated in a Foreign Popish Seminary, and notwithstanding their Conformity, by educating their Children in the Popish Religion give ample Testimony of their Attachment to the pernicious Principles of the Church of Rome; nor can the Complaints, which have been repeatedly made of the dangerous Influence of the Popish Faction, and their Leaders the Jesuits, be thought unnecessary, when some late and very notorious Instances of it are consider'd; a Person of infamous Character in St. Mary's County Goal, and under Sentence of Death for an atrocious Crime, upon the Merit of becoming a Proselyte to the Popish Religion, has been lately recommended to your Excellency as a proper Object of your Clemency, and thereby rescued from the Hands of Justice; which Recommendation he had in vain implored whilst a Protestant: Other Instances of the Prevalence and Power of that Faction, and the Partiality shew'd them, and of the same Imposition upon your

p. 121

L. H. J. Excellency, have occurred in Prince George's County; Two Popish
 Liber No. 48 Delinquents, under Prosecution for Crimes of the most dangerous
 July 3 Nature and Tendency to Society, have obtained Noli Prosequi's, and
 are left at Liberty to repeat them. These Instances abovementioned,
 and the constant and unwearied Application of the Jesuits to
 proselyte, and consequently to corrupt and alienate, the Affections of
 our Slaves from us, and to hold them in Readiness to arm at a
 proper Time for our Destruction, together with every Consideration
 of Danger from a powerful Foreign Enemy, are Circumstances
 truly Alarming, and such as we trust will sufficiently justify this
 Address to your Excellency, whose known Principles of Loyalty and
 Attachment to the present happy Constitution, in Church and State,
 are too conspicuous, to leave us room to doubt of your Protection
 to his Majesty's faithful Protestant Subjects.

Upon the Whole, despairing, after several fruitless Attempts, to
 gain a Law, for our Security against this Faction, more particularly
 adapted to our Constitution and Circumstances, we hope we shall not
 be liable to Censure, if we make Use of those Means of Safety,
 which Providence and the Care of our Mother Country hath put
 into our Hands; We therefore humbly pray, that your Excellency
 would issue your Proclamation, commanding all Magistrates and
 other Officers duly to execute the Penal Statutes, mentioned in the
 Statute of the First of William and Mary, Chapter the 18th, against
 the Roman Catholics or Papists, within this Province.

On read the said Address, the Question was put, Whether the
 House approves the Address, or Not Resolved in the Affirmative.

For the Affirmative,

Reeder,	Jordan,	Ward,
Hicks,	Moore,	Addison,
Hynson,	Handy,	Murdock,
Gresham,	Waggaman,	Fraser,
Wallis,	J. Goldsborough,	Hawkins,
Hammond,	Edmondson,	Lloyd,
Carroll,	Edge,	Tilghman,
Hall,	Gray,	Bracco,
Gassaway,	Travers,	Scarborough,
Fitzhugh,	Paca,	Evans,
Reynolds,	Tolley,	Crabb,
J. Mackall,	Govane,	Chapline,
B. Mackall,	Hyland,	Beall.
Stoddert,	Baker,	

[41]

For the Negative,

Mills,	C. Goldsborough,	Dulany,
Dennis,	Bordley,	J. Henry.

[6]

Which Address was accordingly Indorsed Read Approved and ordered to be Ingrossed

L. H. J.
Liber No. 48
July 3

The House adjourns till the morrow Morning at 8 of the Clock.

Friday, 4th July, 1755.

July 4

The House met according to Adjournment, &c.

An ingrossed Bill entituled, An Act to impower Ann Chambers, Widow, to sell and dispose of certain Lands which Samuel Chambers, late of Anne-Arundel County, died possessed of in Fee Simple, for Payment of his Debts; was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by Major Hall and Mr. Edmondson.

Philip Hammond, Esq; from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act continuing an Act entituled, A Supplementary Act to an Act entituled, An Act for issuing and taking out of the Office of the Commissioners, or Trustees, for emitting Bills of Credit, &c. £4500 Current Money, &c. for the intended Expedition against Canada, &c. which was read the first Time, and ordered to lie on the Table.

Major Hall, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act for raising Two Pence Sterling, for every Hogshead of Tobacco exported out of this Province, for Payment of an Agent in Great-Britain, for the Service of this Province; which was read the first and second Time, by especial Order, and will pass.

Col. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act for the Relief of Thomas Lambden and Nathan Brittingham, languishing Prisoners in Worcester County Goal; Thomas Todd, Jasper Hall and Daniel Wells, languishing Prisoners in Anne-Arundel County Goal; Benjamin Berry, a languishing Prisoner in Prince-George's County Goal; Thomas Reynolds, a languishing Prisoner in Frederick County Goal; and Edward Doggan, a languishing Prisoner in Baltimore County Goal; which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Col. Henry and Mr. Hawkins.

Mr. Lloyd, from the Committee of Laws, brings in, and delivers to Mr. Speaker, an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

Mr. Govane, from the Committee appointed, brings in, and delivers to Mr. Speaker, the following Report, viz.^t

By the Committee appointed to enquire into the Facts contained in the Petition of John Greniff Howard, of Baltimore County. p. 123

L. H. J.
Liber No. 48
July 4

Your Committe find, that the several Matters set forth in the said Petition to be true, provided the Division of the Tract of Land, called the Isles of Capere, made between the Heirs, and Widow, of John Crockett, deceased, is good and available in Law, which said Division, as also a Plat of said Land, is hereunto annexed.

All which is humbly submitted to the Consideration of your Honourable House.

signed p Order, John Duckett, Clk Comm̃.

Which was read, and the House concurs therewith, and Leave is given to the Petitioner, to bring in a Bill according to Prayer.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Lloyd, from the Committee of Laws, brings in the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message of the second Instant, with Governor Shirley's Letter and Copy of an Act, passed by the Legislature of the Massachusetts-Bay, for the more effectual Prevention of Supplies of Provisions, and Warlike Stores, to the French; we beg Leave to acquaint your Excellency, that we have taken the same into our Consideration, and are preparing a Bill for that Purpose.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. Scarborough, and Mr. Baker, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, he would receive the Address in an Hour's Time in the Conference Chamber.

p. 124 Ordered, That Capt. Addison, and Three more, do present the Address.

Col. Fitzhugh, from the Committee appointed, brings in the Address to his Excellency, approved, and on the Question put, ordered to be ingrossed Yesterday; which is now read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. Fitzhugh, and Mr. Edge, do acquaint his Excellency, that this House hath prepared an Address to be pre-

sented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, he was ready to receive the Address immediately in the Conference Chamber.

L. H. J.
Liber No. 48
July 4

Resolved, That the Address be presented by Mr. Speaker, with the whole House.

Mr. Speaker left the Chair, and attended by the rest of the Members of the Lower House presented the Address to his Excellency, in the Conference Chamber.

Mr. Speaker, with the Members of the Lower House, returned, and reassumed the Chair.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act for building a Church in St. Mary's White Chapel Parish, in Dorchester County; indorsed, "By the Upper House of Assembly, July 4, 1755. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was Read here, and passed for Ingrossing.

Mr. Lloyd, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards supplying the French, or their Allies; which was read the first and second Time, by an especial Order, and will pass.

The House adjourns till the morrow Morning at 7 of the Clock.

Saturday, 5th July, 1755.

July 5

The House met according to Adjournment, &c. All appeared as Yesterday, except Col. Fitzhugh, Mr. Hicks, Mr. Waggaman, and Mr. Dennis.

The Bill entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards supplying the French or their Allies; and, the Bill entituled, An Act for raising Two Pence Sterling, for every Hogshead of Tobacco exported out of this Province, for Payment of an Agent in Great-Britain, for the Service of this Province; were sent to the Upper House, by Mr. Govane and Mr. Hynson. p. 125

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act for the Relief of Thomas Lambden and Nathan Brittingham, languishing Prisoners in Worcester County Goal, &c. indorsed, "By the Upper House of Assembly, July 5, 1755. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. up. ho.

L. H. J.
Liber No. 48
July 5

Which Bill was Read here, and passed for ingrossing.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards supplying the French, or their Allies; indorsed, “By the Upper House of Assembly, July 5, 1755. Read the first and second Time, by especial Order, and will pass.

Signed per Order, J. Ross, Cl. up. ho.

Which Bill was Read here, and passed for ingrossing.

Philip Hammond, Esq; from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act for granting a further Supply towards his Majesty's Service; which was Read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, with the following Message, viz.^t by Col.^o Tilghman and Cap.^t Jordan

By the Lower House of Assembly, July 5, 1755.

May it please your Honours,

In Answer to your Message, with the Bill for granting a further Supply towards his Majesty's Service, we carefully revised the said Bill, and although we find, from as exact and moderate a Calculation as we can make, that the Duties, Imposts and Fines, in that Bill mentioned, duly collected, will, before the Expiration of the Paper Currency Act, bring in the Sum of Three Thousand Pounds, over and above the Sums now due, and the Sum of £5000 by this Bill proposed to be granted for his Majesty's Service; and although
p. 126 we are satisfied, that the Right of granting Supplies, and forming Money Bills, is solely in us, yet, to avoid any Doubt or Scruple, we have added Duties on Melasses, and Sugars, to be imported: And as we find, upon the most serious Consideration of the said Bill, that the Money arising on Ordinary-Licences, by a Clause in the said Bill, continuing the several Clauses mentioned and contained in an Act, made at a Session of Assembly the 17th Day of July, 1754, relating to the several Duties, Licence Money, Fines and Forfeitures, therein mentioned, and also the several Parts of the Act of Assembly in that Act mentioned, are clearly, strongly, and plainly appropriated and applied; we hope your Honours will pass this Bill, that our zealous Intentions and Endeavours for his Majesty's Service, may not be frustrated.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

By Col. Tilghman and Capt. Jordan.

Samuel Chamberlainé, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act for granting a further

Supply towards his Majesty's Service; and the following Message, viz.

L. H. J.
Liber No. 48
July 5

By the Upper House of Assembly, July 5, 1775

Gentlemen,

[This message is printed in full in the Upper House Journal, pages 135-6.]

A Bill entituled, An Act to impower John Grineff Howard, of Baltimore County, to dock the Entail of Two hundred and forty-nine Acres of Land, Part of a Tract of Land called Harborough, lying in Anne-Arundel County, and to sell and convey the same in Fee Simple, and to Entail other Lands, of equal Value, in Lieu thereof; was Read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. Govane and Mr. Tolley.

Col. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act for prolonging the Time of Shipping Tobacco, for this present Year, and other Purposes therein mentioned; which was Read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. Gresham and Capt. Ward.

The following Message, viz.^t

p. 127

By the Lower House of Assembly, July 5, 1755.

May it please your Honours,

In Answer to your Message, with the Bill for securing the Western Frontier of this Province, against the Depredations of the French, and their Indian Allies, and also for paying and maintaining Couriers; we assure your Honours, that we have carefully examined, and reconsidered that Bill, in all its Parts, and cannot perceive how, or why, it may be either impossible, or even difficult to carry the same into Execution, and we should have taken it kind in your Honours to have pointed out to us any Defects or Repugnancies in that Bill, which could prevent the Execution thereof. The earnest Desire we have to relieve our Fellow-Subjects, and protect them from the Cruelties of the French and their Indians, induces us to return you that Bill, in Hopes, that upon your further Consideration thereof, and the miserable Condition of the Inhabitants of the Western Frontiers, your Honours will agree to their Relief, and pass this Bill.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

And the Bill entituled, An Act for securing the Western Frontier of this Province, &c. was sent to the Upper House, by Mr. Hawkins and Mr. Crabb.

The House adjourns till 2 of the Clock Afternoon.

L. H. J.
Liber No. 48
July 5

Post-Meriedem.

The House met according to Adjournment, &c.

The following ingrossed Bills, viz.

An Act continuing an Act entitled, An Act for ascertaining the allowance of Petit-Jurors, &c.

An Act continuing an Act entitled, An Act for the destroying Squirrels and Crows in the several Counties therein mentioned.

An Act continuing an Act entitled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify, &c.

p. 128 An Act continuing an Act entitled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves, &c.

An Act continuing an Act entitled, An Act for the more effectual destroying Squirrels and Crows, in the Counties of Kent, Queen-Anne's, &c.

An Act for purchasing Two Acres of Land in the upper Part of Worcester Parish, in Worcester County, and building a Chapel of Ease thereon.

An Act for building a Church in St. Mary's White-Chapel Parish, &c.

Were sent to the Upper House, with the Paper Bills, by Dr. Carroll and Mr. Gray.

William Goldsborough, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entitled, An Act to impower John Grineff Howard, of Baltimore County, Planter, to dock the Entail of Two hundred and forty-nine Acres of Land, Part of a Tract of Land called Harborough, lying in Ann-Arundel County, &c. indorsed, "By the Upper House of Assembly, July 5, 1755. Read the second Time, by an especial Order, and will pass.

Signed per Order, J. Ross, Cl. up. ho.

Which Bill was here Read, and passed for ingrossing.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entitled, An Act for prolonging the Time of Inspecting Tobacco for this present Year, and other Purposes therein mentioned; indorsed, By the Upper House of Assembly, July 5, 1755. Read the first and second Time, by an especial Order, and will not pass.

Signed per Order, J. Ross, Cl. up. ho.

His Excellency communicated to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I have just received Advice from Frederick County, that besides the Eleven Persons, who were killed or carried away Prisoners

thence, by a Party of French Indians, on the Twenty Third of June; Fifteen more of our Inhabitants have since met with the same Fate. There were Nineteen white People together, who, fearing the Incursions of the Indians, had left their Habitations, and were going for Security and Protection to Fort Cumberland; three only of the Nineteen escaped unhurt, but a Youth whom the Indians had scalped and left for dead, is since gone to Fort Cumberland, and is likely to recover. I am also informed, that some Day last Week, twelve Indians were seen to cross Toonaloway Creek, and that another Party were discovered last Saturday about twelve Miles from the Mouth of Conegogee.

L. H. J.
Liber No. 48
July 5

p. 129

Hor.^o Sharpe.

On Motion, that an Address be prepared to his Excellency, in Answer to his Message: Ordered, That the Committee of Laws do prepare and bring in the same.

Mr. Lloyd, from the Committee of Laws, brings in an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

Mr. Lloyd, from the Committee of Laws, brings in the following ingrossed Address, viz.

To his Excellency, Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We are very sensibly affected with the melancholy Fate of our Fellow-Subjects, on our Western Frontier (communicated to us by your Excellency, in your Message just now received,) from the Incursions of the Savage Indians. We have a Bill now lying before the Upper House, which, if it meets with their Concurrence, we cannot doubt, will have the truly desired Effect of securing our Frontier from any Invasions which may be attempted.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Bordley, and Col. Tilghman, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, that he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Bordley, with Five more, do present the Address.

L. H. J.
Liber No. 48
July 5

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for securing the Western Frontier, &c. and the following Message, viz.^t

By the Upper House of Assembly, July 5, 1755.

Gentlemen,

In Answer to your Message, with the Return of the Bill, for securing the Western Frontiers, we must observe to you, that such Return, after a Negative passed by this House, is irregular; we should have been very ready to have explained ourselves, as to the particular Objections we thought the Bill justly liable to, if you had desired us so to do, in the usual Method of Proceedings between the Two Houses: And we assure you, that we are so sensible of the Dangers to which our Fellow Subjects on the Western Frontiers are exposed, that we shall be glad to agree with you, on a Bill for their Security, and hope you will find a proper Expedient for that Purpose.

Signed per Order, J. Ross, Cl. Up. Ho.

p. 130 On Motion, Resolved, that the Bill entituled, An Act for securing the Western Frontier, &c. and the several Messages, from the Upper and Lower Houses, relative to the said Bill, be printed in the Gazette; and also be inserted in the Journal, with the Votes and Proceedings of this Session.

The following ingrossed Bills, viz.

An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, &c.

An Act for the Relief of Thomas Lambden and Nathan Brittingham, languishing Prisoners in Worcester County Goal; Thomas Todd, Jasper Hall and Daniel Wells, languishing Prisoners in Anne-Arundel County Goal; Benjamin Berry, a languishing Prisoner in Prince-George's County Goal; Thomas Reynolds, a languishing Prisoner in Frederick County Goal; and Edward Dogan, a languishing Prisoner in Baltimore County Goal;

Were sent to the Upper House, with the Paper Bills thereof, by Mr. John Goldsborough and Major Hyland.

On Motion, Resolved, that the Bill entituled, An Act for granting a further Supply towards his Majesty's Service, be printed with the Votes and Proceedings of this House.

An ingrossed Bill entituled, An Act to impower John Grineff Howard, of Baltimore County, Planter, to dock the Entail of Two hundred and forty-nine Acres of Land, &c. in Anne-Arundel County, and to sell and convey the same in Fee Simple, and to Entail other Lands, of equal Value, in Lieu thereof; was read and assented to.

The House adjourns till Monday Morning at 8 of the Clock.

Monday, 7th July, 1755.

L. H. J.
Liber No. 48
July 7
p. 131

The House met according to Adjournment, &c. The members were called and all appeared as on Saturday, except Mr. Mills and Capt. Gassaway.

Mr. Sprigg appeared in the House.

An ingrossed Bill entituled, An Act to impower John Grineff Howard, of Baltimore County, Planter, to dock the Entail of Two hundred and forty-nine acres of Land part of a Tract of Land called Harborough lying in Ann Arundel County and to sell and Convey the same in fee simple and to Entail other Lands of Equal value in lieu thereof was sent to the Upper House, with the Paper Bill thereof, by Mr. Stoddert and Mr. Tolley.

On Motion, Ordered, that Mr. Hammond, Col. Tilghman and Mr. Charles Goldsborough, be added to the Committee of Grievances and Courts of Justice.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entituled, An Act for raising Two Pence Sterling, for every Hogshead of Tobacco exported out of this Province, for Payment of an Agent in Great-Britain, for the Service of this Province; indorsed, By the Upper House of Assembly, July 5, 1755. Read the first and second Time, by an especial Order, and will not pass.

Signed per Order, J. Ross, Cl. up. ho.

The House proceeded to tax the Bill entituled, An Act to impower Ann Chambers, Widow, to sell and dispose of certain Lands, which Samuel Chambers, late of Anne-Arundel County, died possessed of, in Fee Simple, &c.

To the Honourable Speaker,	£3 00 00
To the Clerk,	1 10 00

And, the Bill entituled, An Act to impower John Grineff Howard, of Baltimore County, Planter, to dock the Entail of 249 Acres of Land, &c.

To the Honourable Speaker,	£4 00 00
To the Clerk,	2 00 00

Dr. Carroll, from the Committee of Grievances and Courts of Justice, brings in, and delivers to Mr. Speaker, the following Report, viz.

By the Committee of Grievances and Courts of Justice, July 7, 1755.

Your Committee, upon inspecting a Commission to the Honourable Cæcilius Calvert, Esq; to be Secretary of this Province, recorded in the Provincial Office, which Commission is hereto annexed, do find, that there is a Clause therein, giving to the said Cæcilius Calvert, Esq; a Power of taking to himself the Advantage of granting

p. 132

L. H. J. Ordinary-Licences, which your Committee conceive to be creating a
 Liber No. 48 Monopoly, and is contrary to the Rights and Privileges of the good
 July 7 People of this Province, and the Common and Statute Law.

All which is submitted to the Consideration of your Honourable House.

Signed per Order, W.^m Wilkins, Clerk.

The Honourable Cæcilius Calvert Esq.^r his Commissions viz.^t
 F: Baltimore

Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon in America, Lord Barron of Baltimore of the Kingdom of Ireland To my Beloved Uncle The Hon^{ble} Cecilius Calvert Esq.^r Greeting Know ye That we by Virtue of the Powers in the Letters Patent from King Charles the first to Cæcelius Barron of Baltimore his heirs and Assigns of the said Province of Maryland &c do by these presents Constitute you the said Cæcilius Calvert to Exercise the Office of Secretary of our said Province of Maryland during our pleasure hereby Authorizing you and giving you full power to Nominate and Appoint a Sufficient Deputy and also Authorizing and Impowering you or your Sufficient Deputy to be present at all meetings of the Governor and Council and of the Assemblys in that our said Province and keep an Exact Register of all their Acts proceedings and Orders and to do and perform all other Acts Usually done by the former Secretarys of our Province aforesaid And do hereby further Impower you or your said Deputy to take to yourselves the Advantage of Granting Ordinary Licences in our said Province which did heretofore belong to the said Office of Secretary and to Receive all such other perquisites ffees and Advantages whatsoever to the said Office of Secretary Belonging or in anywise Appertaining in as full and Ample manner as any person or Persons heretofore have held or Enjoyed or ought to have held or Enjoyed the same And do hereby Repeal make Null and Void all former Commissions for the said Office Witness my hand and Great Seal at Arms Given at London This Twenty eighth day of february in the Second year of our dominion and in the year of our Lord One thousand seven hundred and fifty three

The Great Seal at Arms
 in Wax Appendant

p. 133 On the back of the foregoing Commission was thus Endorsed
 viz^t

Entered in the Office of the Hon.^{ble} Cæcilius Calvert Esq.^r Secretary of the Province of Maryland in America Residing in England
 Harman Verelst Assistant

In Testimony that the aforegoing is a True Copy from Liber E I
N:º 12 fol:º 385 and 386 one of the Land Record Books belonging
to the Provincial Office the seal of the said Office is hereunto
Affixed

L. H. J.
Liber No. 48
July 7

p R Burdus Clk

On reading the said Report, the House concurs therewith.

His Excellency the Governor communicates to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

It having been intimated to me, by the Gentlemen of the Upper House, that they have returned you a Bill which you lately sent up to them, entituled, An Act for securing the Western Frontiers of this Province, against the Depredations of the French and their Indian Allies, and also for paying and maintaining Couriers, by Reason they judged the Allowance of Money, and Time therein mentioned, would not sufficiently answer the Purposes for which they conceived it was designed; I must intreat you to lose no Time, but as you regard the Lives of your Fellow-Subjects and Constituents, who remain exposed to the repeated Cruelties and Devastations of barbarous Savages, for Want of our taking some Measures for their Protection, that you will, without Delay, reconsider that Bill; and, if you think proper, amend it, in such a Manner, that it may better answer the End for which it was calculated and intended.

Hor.º Sharpe.

On reading and considering his Excellency's Message of this Day, the Question was put, Whether this House will, in Consequence of his Excellency's Message of this Day, reconsider the Bill entituled, An Act for securing the Western Frontier of this Province, against the Depredations of the French and their Indian Allies; and also for paying and maintaining Couriers from Wills's-Creek to Annapolis, and back to Wills's-Creek; sent up to the Upper House, and from that House sent down hither with a Negative, inforced by this House, and again sent down by the Upper House with a Negative, or Not Resolved in the Negative.

On Motion, that Leave be given to bring in a Bill, To raise a
Sum of Money for securing the Western Frontier of this Province,
against the French, and their Indian Allies, and paying Couriers; p. 134

The Question was put, Whether Leave be given to bring in such Bill, or Not Resolved in the Negative.

L. H. J.
Liber No. 48
July 7

For the Negative,		
Hynson,	Moore,	Ward,
Wallis,	Handy,	Fraser,
Hammond,	J. Goldsborough,	Lloyd,
Carroll,	Edmondson,	E. Tilghman,
Hall,	Edge,	Casson,
Reynolds,	Gray,	Bracco,
J. Mackall,	Travers,	Scarborough,
B. Mackall,	Paca,	J. Henry,
Stoddert,	Tolley,	Evans.
Jordan,	Hyland,	[29]

For the Affirmative,

Reeder,	Murdock,	Crabb,
Gresham,	Hawkins,	Chapline,
C. Goldsborough,	Bordley,	Beall,
Baker,	Dulany,	Sprigg. [12]

In Pursuance of the Order of the House, the following Bill is inserted in the Words following, viz.

An Act for securing the Western Frontier of this Province against the Depredations of the French, and their Indian Allies; and also for paying and maintaining Couriers from Wills's-Creek to Annapolis, and back to Wills's-Creek.

Whereas the French and their Indian Allies, have lately, in an hostile Manner, entered the Western Frontier of this Province, and sundry of his Majesty's Subjects have destroyed and murdered, and others have taken and carried into Captivity: For the Prevention thereof for the future,

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordships's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That his Excellency the Governor, for the Time being, enlist, raise, or impress, a Number of able-bodied Men, not exceeding Eighty, including Officers, and appoint and commission such Officers to discipline and command them; and that he order and dispose the same for the Security of the Western Frontier of this Province, against the Insults, Murders, and Depredations of the French, and their Indian Allies, for and during such Time as to him shall seem necessary, not exceeding Four Months, in such Manner as to him shall seem meet. Provided, That no Freeholder or House-Keeper, within this Province, shall be impressed for the Service herein directed.

p.135 And whereas his Excellency the Governor has already appointed Stages, stationed Horses, and contracted with Couriers, for the Dis-

patch of Intelligence from Wills's-Creek to Annapolis, and back again to Wills's-Creek; a Measure so prudential in these Times of Danger, and so conducive to the Preservation of this Part of his Majesty's Dominions, and the Lives and Properties of his Majesty's Subjects, as to become highly proper to continue the same, for and during such Time as to him shall seem necessary, not exceeding four Months: For enabling therefore his Excellency the Governor, for the Time being, to pay, furnish, and maintain, such Officers and Soldiers and Couriers as aforesaid,

L. H. J.
Liber No. 48
July 7

Be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners or Trustees, for emitting the Bills of Credit, established by Act of Assembly of this Province, and they are hereby directed and required forthwith to emit and make current the Sum of Two Thousand Pounds, Part of the Four Thousand and Fifteen Pounds Six Shillings, now remaining in their Possession, and not already emitted and made current; and the said Sum of Two Thousand Pounds to pay to his Excellency the Governor, for the Time being, or to his Order, to be by him disposed of, and applied to and for the Uses and Purposes aforesaid.

And be it further Enacted, by the Authority aforesaid, That the aforesaid Sum of Two Thousand Pounds, and every Part thereof, so as aforesaid to be emitted, made current, and paid, shall pass current in all such Payments as (and shall be deemed and taken to all Intents and Purposes of equal Value with) any other Bills of Credit, of like Denomination, emitted and made current by any former Act of Assembly.

And for the Repayment and Replacing of the aforesaid Sum of Two Thousand Pounds into the said Loan-Office,

Be it Enacted, by the Authority, Advice, and Consent aforesaid, That all Masters or Commanders of any Ship or other Vessel, and all other Persons who shall by Water import any Rum, Brandy, or other Spirits, into this Province, in any Ship or other Vessel, belonging to or held by any Person or Persons, who shall be Residents of this Province, shall make Entry thereof, upon Oath, with the Naval Officer of the District, Port, or Place, for the Time being, where they make their Entry, of the Number of Casks and the Contents thereof, and the Quantity of Gallons they have so imported, (which Oath the said Naval Officer is hereby empowered and authorized to administer) and shall, at the Time of making their Entry as aforesaid, pay unto the said Naval Officer the Sum of Three Halfpence p Gallon, in Bills of Credit of this Province, for every Gallon of Rum, Brandy, or other Spirits, so by them imported into this Province.

p. 136

And be it further Enacted, That all Masters and Commanders of Ships, or other Vessels, and all others, who shall import or bring into

L. H. J.
Liber No. 48
July 7

this Province any Wines, other than such as shall be immediately imported from Great-Britain, shall make Entry thereof, upon Oath, with the Naval Officer of the Port or District where they shall make their Entry, of the Number of Casks and the Contents thereof, and the Quantity of Gallons they have so imported which Oath the said Naval Officer is hereby directed and impowered to administer, and shall, at the Time of making their said Entry, over and above any Duties already imposed by any other Law, pay unto the said Naval Officer the Sum of Two Pence per Gallon, in Bills of Credit of this Province, for every Gallon of Wine so by them imported into this Province.

And be it further Enacted, That when the Importer or Importers aforesaid, have made fair Entries as aforesaid, and paid the Duties as aforesaid, that then the Naval Officer aforesaid shall give the said Importer a Permit in Writing under his Hand, to carry the same to any River, Harbour, or Place, within this Province, to make Sale of, or other wise use the same.

And be it Enacted, That in Case any Person or Persons, who shall import or bring into this Province any Rum, Brandy, Spirits, or Wine, shall land or put on shore the same, or any Part thereof, out of any Ship or Vessel, in which the same shall be imported, or shall offer or expose to Sale such Rum, Brandy, Spirits, or Wine, or any Part thereof, before due Entry thereof, made upon Oath with the Naval Officer aforesaid, according to the Directions of this Act, or before the Duties due and payable by this Act for the same, have been satisfied and paid, and a Permit from the said Naval Officer, under his Hand, as aforesaid, for the landing or disposing of the same hath been obtained, such Person or Persons so importing the same, shall forfeit and lose all such Liquors so imported, or the full Value thereof, to be paid in Bills of Credit of this Province; one Half thereof to be applied towards the Repaying and Replacing the aforesaid Sum of Two Thousand Pounds, and the other Half to the Informer, or him, or them, that will sue for the same; to be recovered by Action of Debt, Bill, Complaint, or Information, with legal Costs of Suit, in any Court of Record within this Province.

p. 137 And for the better Encouragement of all Matters, Merchants, Owners, and other Persons whatsoever, to make due Entries and Payments of the Duties and Impositions raised by this Act, in Consideration of Leakage and other Damage, the Officer aforesaid is hereby authorized and impowered to make an Allowance or Abatement of Twenty Gallons in every Hundred Gallons of all such Liquors, so to be entered as aforesaid, and so pro Rato for a greater or less Quantity.

And the Officers aforesaid, hereby appointed to collect and receive the said Duties shall, and are hereby impowered, upon Suspicion of Fraud or Deceit by any Importer, Owner, or Proprietor of any such Liquors, in concealing and not making due Entry of the same, to go and enter on board such Ship or Vessel, or into any Warehouse or other Out-House, where such Liquors may be put or placed, and view and examine the same; and if upon such Examination, it shall appear to the said Officer, that the said Importer or Owner of any such Liquors hath not made due Entry of the same, or hath acted or done any Thing contrary to the true Intent of this Act, to seize and bring on Shore, or secure all such Liquors so imported, for which the Duties aforesaid are not duty paid; and after Condemnation of such Liquors, and public Notice given thereof for five Days after such Condemnation; it shall and may be lawful to and for such Officer, and he is hereby directed and required to sell a Moiety of such Liquors, so as aforesaid seized and condemned, at public Auction, to the highest Bidder, and the Money arising on such Sale to pay to the Commissioners of the Loan-Office for the Use of this Act. And that the said Officers and their Deputies, or any of them, shall and may freely stay and remain on board until such Liquors shall be delivered and discharged out of the said Ship or Vessel: And all Sheriffs, Constables, and other Officers of this Province, are hereby required and enjoined to be aiding and assisting to such Naval Officers and their Deputies, in discharging of their Duty aforesaid, for all which the said Officers and Others assisting them, shall, by Virtue of this Act, be saved and kept harmless; and if any Action or Suit shall be commenced against such Officers or Others assisting to put this Act in Execution, it shall and may be lawful for such Officers and Others to plead thereto the General Issue, and give this Act and the special Matter therein in Evidence; any Law or Custom to the contrary notwithstanding. And in Case any Action or Suit shall be commenced, and prosecuted against any Person or Persons importing any such Liquors as aforesaid, for any Fine or Forfeiture arising by this Act, the Court before whom such Suit shall be commenced and prosecuted, shall, at their Discretion, rule the said Defendant or Defendants, to give good and sufficient Bail to such Suit, and for want thereof, shall and may commit the said Defendant or Defendants to the Custody of the Sheriff of the County, there to remain until he or they shall comply therewith: And if Judgment on such Suit shall be given against the said Defendant or Defendants, the Court before whom the said Judgment shall be rendered, shall commit the said Defendant or Defendants until he or they shall pay unto the Naval Officer aforesaid the Moiety of the Forfeiture aforesaid, hereby directed to be applied to the Uses in this Act mentioned.

L. H. J.
Liber No. 48
July 7

p. 138

And be it further Enacted, That all Masters of Ships and other Vessels, and Others importing Servants into this Province by Land

L. H. J.
Liber No. 48
July 7

or Water, to serve for the Term of seven Years or upwards, at the Time of their Entry, shall pay unto the Naval Officer, for the Time being, belonging to such Port or Place where they make their Entry, the Sum of Five Shillings, in Bills of Credit, over and above the Duties already imposed by other Laws on such Servants.

And be it further Enacted, That the Naval Officers aforesaid, shall yearly transmit to the Commissioners of the Loan-Office an Account upon Oath of all the Monies by them respectively received, by Virtue of this Act, for the Duties, Impositions and Forfeitures, and yearly pay to the said Commissioners or Trustees the Monies aforesaid so by them received, retaining in his or their Hands respectively a Commission of Two and an Half per Cent; and that the Office-Bonds of the said Naval Officers, and their Sureties in such Bonds, shall be answerable for and subject to the Payment of all Monies so by the said respective Naval Officers received, and for any Breach of Duty by them committed against this Act.

p. 139 And be it further Enacted, That the said Commissioners or Trustees of the said Loan-Office, for the Time being, shall, and they are hereby obliged and required to keep a distinct and particular Account of all the Money paid to them, by Virtue of this Act, and upon every Payment made to them, to credit such Account, by the Person paying the same, distinguishing particularly in such Account for what the same was paid.

And be it further Enacted, That the Commissioners or Trustees of the Loan-Office aforesaid, shall retain and keep all such Sums of Money as they shall receive by Virtue of this Act, till the next Session of Assembly after the Receipt thereof, and then shall burn and destroy the same before the Committee, which shall be appointed to inspect the Accounts and Proceedings of the said Office, and so from Session to Session until they have destroyed the full Sum of Two Thousand Pounds: And the Residue of the Money arising by Virtue of this Act, if any there be, they shall retain in their Hands, to be disposed of as the General Assembly of this Province shall direct.

And be it further Enacted, That the Office-Bonds of the said Commissioners or Trustees of the said Loan-Office, for the Time being, and their Sureties in such Bonds, shall be answerable for all Sums of Money, which they shall receive by Virtue of this Act.

And for the better Encouragement of any Person or Persons, Party or Parties, either in Pay by Virtue and Direction of this Act, or other the Inhabitants of this Province,

It is hereby Enacted, That any Person or Persons, Party or Parties, in Pay by Virtue and Direction of this Act, or other the Inhabitants of this Province, who shall, within six Months after the End of this Session of Assembly, unless the present Hostilities should cease before the Expiration of that Time, kill or destroy, or

take Prisoner or Prisoners, any Indian Enemy, not in Alliance with his Majesty, shall, for every such Indian Enemy so killed or destroyed, or taken Prisoner, as aforesaid, be paid the Sum of Five Pounds by his Excellency the Governor, or Commander in Chief, for the Time being out, of the Money directed to be paid the Governor, by Virtue of this Act. And that the Scalp of such Indian Enemy produced to the Governor of this Province, for the Time being, by the Person or Persons killing such Indian or Indians, and his or their Oath or Oaths, shall be deemed good Evidence. Provided, that the said Indian Enemies, so to be taken Prisoners as aforesaid, be delivered to the Sheriff of Anne-Arundel County, at the Publick Goal in Annapolis, and intitle such Person or Persons to the Reward aforesaid, before the Payment of the said Reward, which Sheriff is hereby obliged to receive and keep such Indian in safe Custody, until discharged by the Governor or Commander in Chief of this Province, for the Time being.

L. H. J.
Liber No. 48
July 7

p. 140

Provided always, That in case the whole Sum of Two Thousand Pounds aforesaid, granted by this Act, shall not be expended for the Uses and Purposes aforesaid, then the Remainder thereof shall be applied to the Public Uses of this Province, as the General Assembly thereof shall hereafter direct and appoint.

This Act to continue until the said Sum of Two Thousand Pounds shall be raised, repaid, and replaced, into the Office of the Commissioners or Trustees aforesaid, and to the End of the next Session of Assembly, which shall thereafter happen.

The Indorsements:

By the Lower House of Assembly, July 2, 1755. Read the first and second Time by an especial Order, and will pass.

Signed p Order, M. Macnemara, Cl. lo. ho.

By the Upper House of Assembly, July 2, 1755. Read the first Time, and ordered to lie on the Table.

Signed p Order, J. Ross, Cl. up. ho.

By the Upper House of Assembly, July 3, 1775. Read the second Time, and will not pass.

Signed p Order, J. Ross, Cl. up. ho.

And in Pursuance of an Order of the House, the following Bill is inserted, in the Words following, viz.

An Act for granting a further Supply towards his Majestys Service.

Whereas, for holding the Lands, and securing his Majesty's just Possessions to the Westward of this Province, upon the River Ohio, it is apprehended, that the supporting a Garrison in some Fortification or Place of Defence there, will be necessary, and as it is highly

L. H. J. reasonable that this Province, in proportion to their Circumstances,
Liber No. 48 should contribute, with the neighbouring Colonies, towards the
July 7 Expence thereof, and it being considered, that by early and season-
able Supplies, his Majesty's Service, and our own Security, will be
best promoted; this General Assembly therefore pray that it may be
enacted,

And be it Enacted, by the Right Honourable the Lord Proprietary,
by and with the Advice and Consent of his Lordship's Governor,
p. 141 and the Upper and Lower Houses of Assembly, and the Authority of
the same, That the Commissioners or Trustees, for emitting Bills
of Credit, established by Act of Assembly, shall, and they are hereby
required, out of the Money which is now in the Paper Currency
Office, and any which shall next be paid in, to pay to his Excellency
Horatio Sharp, Esq; Governor and Commander in Chief of this
Province, or to the Governor or Commander in Chief for the Time
being, or his Order, to the Amount of Five Thousand Pounds, in
such Sums as his Excellency by Draft, or Drafts, under his Hand, for
his Majesty's Service, shall require; the several Payments whereof,
the said Commissioners shall keep in a fair distinct Account.

And for repaying and replacing the said Sum of Five Thousand
Pounds into the Paper Currency Office, Be it further Enacted, That
the several Clauses mentioned and contained in an Act of Assembly
entituled, An Act for his Majesty's Service, made at a Session of
Assembly, begun and held at the City of Annapolis, the seventeenth
Day of July, One thousand Seven hundred and fifty-four, relating
to the several Duties, Licence-Money, Fines, and Forfeitures, therein
mentioned, and the Recovery thereof, (except what is hereinafter
repealed), and also the several Parts of the Acts of Assembly in
the said Act mentioned to be continued, shall be, and are hereby
declared to continue and be in full Force, from and after the several
Purposes of the said Act, and the Acts therein mentioned, are fully
answered, compleated and fulfilled, until the aforesaid Sum of Five
Thousand Pounds shall be thereby, and by this Act, repaid and re-
placed in the said Office, and until the End of the next Session of
Assembly which shall thereafter happen.

And whereas a Duty of Two Pence per Gallon is laid upon all
Madeira Wine, by the said Act, and it appearing to this General
Assembly, that the Payment thereof is evaded, by entering the same
under different Denominations; It is therefore hereby Enacted, That
every Person, or Persons, bringing any other Wines whatsoever
into this Province, by Land or Water, other than immediately from
Great-Britain, either in Casks or Bottles, shall, for every Gallon of
such Wine, pay the Sum of Two Pence Current Money, in the same
Manner, and to the same Purposes, as is directed by the said recited
and this present Act, which shall be received, accounted for, and paid

by the respective Naval Officers, in the same Manner as the Duty upon Madeira Wine is by the said Act directed.

L. H. J.
Liber No. 48
July 7

And be it further Enacted, That for all Coaches, Chairs, Chaises and Chariots, or such like Carriages, belonging to, or used by, the Inhabitants of this Province, there shall be paid this present Year, and yearly, and every Year, during the Continuance of this Act, by the respective Owners thereof, the Sum of Five Shillings Current Money, for every Wheel belonging to such Coaches, Chairs, Chaises and Chariots, or such like Carriages; and for all Billiard Tables belonging to, or kept by, the Inhabitants of this Province, there shall be paid by the respective Owners, or Keepers thereof, this present Year, and each Year hereafter, during the Continuance of this Act, the Sum of Three Pounds Current Money. p. 142

And be it further Enacted, That the Constables of the respective Hundreds in the several Counties in this Province, shall, at or before the last Day of July, in this present Year, and so yearly, and every Year, during the Continuance of this Act, require of all Persons, who own or keep any Billiard Table, and who use or own any Coaches, Chairs, Chaises and Chariots, or such like Carriages, within his Hundred, a true List from under his, her, or their Hands, of all such Billiard Tables, Coaches, Chairs, Chaises and Chariots, or such like Carriages, belonging to, or used by, such Person, and the Number of Wheels belonging to such Coaches, Chairs, Chaises and Chariots, or such like Carriages, from which Lists so to be taken, the said Constables shall make fair Lists, and return the same to the Next August Court yearly; and in Case the Owner or Keeper of any Billiard Table, Coach, Chair, Chaise or Chariot, or such like Carriage, shall refuse or delay, upon Demand, to give such Constable a true List of their Billiard Tables, Coaches, Chairs, Chaises and Chariots, or such like Carriages, they shall own, use or keep, and the Number of Wheels belonging to such Coaches, Chairs, Chaises and Chariots, or such like Carriages, such Owner or Keeper shall forfeit and pay, for every Billiard Table so refused, or delayed to be given in to such Constable, the Sum of Five Pounds Current Money; and for every Wheel belonging to such Coaches, Chairs, Chaises and Chariots, or such like Carriages so refused, or delayed to be given in to such Constable, the Sum of Twenty Shillings Current Money; to be recovered in a Summary Way, before any one Justice of the Peace of the County where such Offence shall happen. And in Case any Constable shall not pursue the Directions of this Act, in demanding, taking, and returning Lists, such Constable shall forfeit and pay, for every such Offence, the Sum of Five Pounds Current Money; to be recovered in Manner and Form aforesaid.

And be it Enacted, That the several Justices aforesaid, before whom such Convictions shall happen, are hereby authorized and required to receive the same Fines, and to make Payment thereof

L. H. J. to the Sheriff of the said County, for the Time being, and shall take
Liber No. 48 his Receipt for the same, and shall transmit to the Commissioners
July 7 or Trustees aforesaid, at or before the Twentieth Day of October
p. 143 yearly, a List under his Hand, what Fines he hath so received,
together with the said Sheriff's Receipt for the same, and what
Commitments he has made for Non-payment; and in Case Judgment
shall be given by such Justice, against such Offender, or Offenders,
and the said Fines shall not be immediately paid to the said Justices,
the said Justices are hereby required to commit the said Offender to
the Custody of the Sheriff of the same County, there to remain until
he shall have paid and satisfied the said Fine, with Costs.

And be it further Enacted, That it shall be the Duty of the Con-
stables of the several Hundreds, in every County within this Prov-
ince, and they are hereby directed and required to make immediate
Information, to some Magistrate in their respective Counties, against
the Owner or Keeper of any Billiard Table, Coach, Chair, Chaise or
Chariot, or such like Carriage, who shall refuses or delay to comply
with the Directions of this Act.

And be it likewise Enacted, That upon every Conviction, before a
Justice aforesaid, the said Justice shall be intitled to a Fee or Reward
of Five Shillings Current Money; and the Constable for serving
every Warrant, the Sum of Two Shillings and Six Pence, and no
more.

And be it further Enacted, That the Clerks of the respective
Courts shall make out two Copies of the Lists, so as aforesaid to be
returned, at the End of each Court, to which the same Lists shall be
returned, and shall forthwith transmit one of the said Copies to the
Commissioners or Trustees aforesaid, for the Time being, and the
other shall deliver to the Sheriff of the County, who is hereby im-
powered and obliged to collect the the Money aforesaid, in Bills of
Credit, in the same Manner as the County Levy is collected, and
shall pay the same, together with all Fines and Forfeitures which he
shall receive, by Virtue of this Act, to the Commissioners of the
Loan Office aforesaid, for the Time being, at or before the Twentieth
Day of October in each Year, for which the said Sheriff shall retain
to his own Use, a Commission of Two and an Half per Centum.

And be it further Enacted, That all Fines and Forfeitures which
shall be received by, and paid to, the Commissioners or Trustees
aforesaid, by Virtue of this Act, shall be applied towards the Repay-
ing and Replacing the aforesaid Sum of Five Thousand Pounds,
herein granted, for his Majesty's Service

p. 144 And it is hereby Enacted, That each Constable within this Prov-
ince, for the Time being, within whose Hundred there are any
Billiard Tables, or Carriages, as aforesaid, shall have and receive
for his or their Care, Diligence and Trouble, relating to this Act,
the Quantity of One Hundred Pounds of Tobacco to each Constable,

to be allowed, assessed, and paid them, and every of them, in the respective County Levies, where they respectively reside, in the same Manner as County Levies are; and that every respective County Clerk, within this Province, shall, for his Trouble in making out and transmitting the said Lists, have and receive, in the County Levy, the Sum of Four Pounds and one Half of Tobacco per Side, to be assessed and paid as aforesaid.

L. H. J.
Liber No. 48
July 7

And it is hereby further Enacted, That the Clause or Clauses in the said Act, entitled, An Act for his Majesty's Service, relating to Coaches, Chairs, Chaises and Chariots, or such like Carriages, belonging to, and used by, the Inhabitants of this Province, be, and is hereby repealed, abrogated, made null and void; any Thing in the said Act to the contrary thereof, in any wise, notwithstanding.

And be it further Enacted, That all Masters, Owners, or Commanders of any Ships, or other Vessels, and all Others, who shall import, or bring into this Province, by Land or Water, any Molasses or Sugar, other than such Sugars as shall be immediately imported from Great-Britain, shall make Entry thereof, upon Oath, with the Naval Officer, or his Deputy, of the Port, Place, or District, where they shall make their Entry, or where they shall bring any Molasses, or Sugar, of the true Number of Casks, and the Contents thereof, and the Quantity of the Gallons of Molasses, and Pounds of Sugar, be it in Loaf or otherwise, they have so imported or brought into this Province, (which Oath the said Naval Officer or his Deputy are hereby directed and impowered to administer), and shall, at the Time of making their Entry aforesaid, pay, or secure to be paid, unto the said Naval Officer, or his Deputy, the Sum of One Penny per Gallon, in Bills of Credit of this Province, for every Gallon of Molasses, and One Shilling for every Hundred Pounds of Sugar, in Loaf or otherwise, so by them imported into this Province, and so pro Rato for a greater or less Quantity.

And be it further Enacted, That when the Importer or Importers, or other Persons, who shall bring any Molasses, or Sugar, into this Province, have made fair Entries thereof, as aforesaid, and paid, or secured to be paid, the Duties, as aforesaid, that then the Naval Officer aforesaid, or his Deputy, shall give the said Importer or Importers, Owners, or other Persons aforesaid, a Permit in Writing, under his Hand, to carry the same to any River, Harbour or Place, within this Province, to make sale, or otherwise use or dispose of the same.

And be it Enacted, That in Case any Person or Persons, who shall import, or bring into this Province, any Wine, Molasses or Sugar, except such Wine and Sugar as shall be immediately imported from Great-Britain, shall land, or put on shore the same, or any Part thereof, out of any Ship, or Vessel, in which the same shall be im-

p. 145

L. H. J. ported, or shall expose, or offer to sale, or otherwise use or dispose
Liber No. 48 of such Wine, Molasses or Sugar, or any Part thereof, so imported,
July 7 or brought in, as aforesaid, before due Entry thereof hath been
made, upon Oath, with the Naval Officer aforesaid, or his Deputy,
according to the Directions of this Act, or before the Duties due
and payable by this Act for the same have been paid and satisfied,
or secured to be paid to such Naval Officer, and a Permit from the
said Naval Officer, or his Deputy, under his Hand as aforesaid, for
the Landing, Using, or Disposing of the same, hath been obtained,
such Person, or Persons, so importing, or bringing the same into
this Province, shall forfeit and lose all such Molasses, and Sugars,
so imported, or brought into this Province, or the full Value thereof,
to be paid in Bills of Credit of this Province; one Half thereof to
be applied towards the Repaying and Replacing the aforesaid Sum
of Five Thousand Pounds, and the other Half to the Informer, or
him or them that will sue for the same, to be recovered, by Action
of Debt, Bill, Complaint or Information, with legal Costs of Suit, in
any Court of Record within this Province: And for the better
Encouragement of all Masters, Merchants, Owners and other Per-
sons whatsoever, to make due and true Entries, and Payments of the
Duties and Impositions raised by this Act, in Consideration of
Leakage, Shrinkage, or other Damage, the Naval Officer aforesaid
is hereby authorized and empowered to make an Allowance or
Abatement of Twenty Gallons in every Hundred Gallons of Wine
and Molasses, and of Twenty Pounds in every Hundred Pounds of
Sugar, so to be entered as aforesaid; and so pro Rato for a greater
or less Quantity: And the officers aforesaid, hereby appointed to
collect and receive the said Duties, shall be, and are hereby im-
powered, upon Suspicion of Fraud, or Deceit, by any Importer,
Owner, or Proprietor of any such Wine, Molasses or Sugar, brought
into this Province, in concealing and not making due Entry of the
same, to go and enter on board such Ship or Vessel, or into any
Warehouse, or other Out-House, where such Wines, Molasses or
Sugar, may or shall be put or placed, and view and examine the same,
and if, upon such Examination, it shall appear to the said Officer,
that the said Importer, or Owner, of any such Wine, Molasses or
Sugars, or other Person bringing the same into this Province, hath
not made due Entry of the same, or hath acted or done any Thing
p. 146 contrary to the true Intent of this Act, to seize and bring on shore,
or otherwise secure, all such Wines, Molasses and Sugars, so im-
ported or brought into this Province, for which the Duties aforesaid
are not duly paid, or secured to be paid; and that the said Officers,
and their Deputies, or any of them, shall and may freely stay and
remain on board, until such Wine, Molasses and Sugars, shall be
delivered and discharged out of the said Ship or Vessel: And all
Sheriffs, Coroners, Deputy-Sheriffs and Constables, are hereby en-

joined and required to be aiding and assisting to such Naval Officers, and their Deputies, in Discharge of their Duty aforesaid; and if any Action or Suit shall be commenced against such Officers, or Others assisting to put this Act in Execution, it shall and may be lawful for such Officers, and Others, to plead thereto the General Issue, and give this Act, and the special Matter therein, in Evidence; any Law or Custom to the contrary thereof notwithstanding. And in Case any Action or Suit shall be commenced and prosecuted against any Person or Persons importing, or bringing into this Province, any such Wine, Molasses or Sugar, as aforesaid, for any Fine or Forfeiture arising by this Act, the Court, before whom such suit shall be commenced and prosecuted, shall, at their Discretion, rule the said Defendant or Defendants, to give good and sufficient Bail to such Suit, and for Want thereof, shall and may commit the said Defendant or Defendants to the Custody of the Sheriff of the County, there to remain until he or they shall comply therewith: And if Judgment on such Suit shall be given against the said Defendant or Defendants, the Court before whom the said Judgment shall be rendered, shall commit the said Defendant or Defendants, until he or they shall pay unto the Naval Officer aforesaid, the Moiety of the Forfeiture aforesaid, to be applied to the Use in this Act mentioned.

L. H. J.
Liber No. 48
July 7

And be it further Enacted, That the Officers aforesaid, hereby directed to seize any such Wine, Molasses and Sugars, and are hereby impowered and directed, after the same have been legally condemned, and public Notice thereof given five Days, to sell one Moiety of all such Wine, Molasses and Sugars, so as aforesaid seized and condemned, at public Auction, to the highest Bidder, and the Money arising on such Sale, to pay unto the Commissioners of the Loan Office aforesaid, to and for the Uses and Purposes in this Act mentioned, and the other Moiety of the said Wine, Molasses and Sugar, so seized and condemned, shall belong to the Person or Persons seizing the same.

And be it further Enacted, That all Sheriffs, Coroners, Deputy-Sheriffs and Constables, in their several Counties and Hundreds in this Province, are hereby strictly enjoined and required to make Information, to some Justice of their respective Counties, of any such Wine, Molasses or Sugar, which they shall know to be imported or brought into this Province, either by Land or Water, which have not been duly entered, and the Duties thereof paid, or secured to be paid, or secured to be paid, according to the Directions of this Act: And if any Sheriff, Coroner, Deputy-Sheriff or Constable, shall know of any such Wine, Molasses or Sugar, to be imported or brought into this Province by Land or Water, which have not been entered, and the Duties thereof paid, or secured to be paid, according

p. 147

L. H. J.
Liber No. 48
July 7

to the Directions of this Act, and shall not, within two Days after he or they shall know thereof, make Information of the same to some Justice of the Peace for the County, he or they shall forfeit and pay the Sum of Ten Pounds Current Money, one Half thereof for the Use of the Informer, and the other Half for the Use of this Act; to be recovered in a Summary Way, before one Magistrate, as in the Case of small Debts, who is hereby impowered to receive and pay the same, in Manner as is herein before directed. And the Justice, or Justices, to whom such Information shall be made, are hereby required immediately thereupon to issue his or their Warrant against such Person or Persons, against whom such Information shall be made to such Sheriff, Coroner, Deputy-Sheriff or Constable, to take and bring such Person or Persons before some Justice of the County, to answer such Complaint; and if it shall appear to such Justice, upon Examination of such Person or Persons, that he or they hath or have imported or brought into this Province, any Wine, Molasses or Sugar, as aforesaid, except as before excepted, and hath or have not duly entered the same, and paid, or secured to be paid, the Duties aforesaid, according to the Directions of this Act, and the same Wine, Molasses or Sugar, hath not been already seized and secured, such Justice or Justices are hereby directed, to require such Person or Persons so offending, to give good Security to appear at the next County Court of the said County, to answer the same, and for Want thereof, shall commit such Person or Persons to the Custody of the Sheriff of the County, there to remain until he or they shall comply therewith; and the several Justices of the several County Courts of this Province are hereby directed and required, at their several Courts, to give this Act in Charge to their several Grand Juries, and direct them to Enquire into and make Presentment of all Breaches thereof.

And be it further Enacted, That the Naval Officer aforesaid shall yearly transmit to the Commissioners of the Loan Office, an Account, upon Oath, of all the Monies by them respectively received, by Virtue of this Act, for the Duties, Impositions and Forfeitures aforesaid, and yearly pay the Monies aforesaid, so by them received, retaining in his or their Hands respectively, a Commission of Two and in Half per Centum, and that the Office Bonds of the said Sheriffs and Naval Officers, and their Sureties in such Bonds respectively, shall be answerable for, and subject to, the Payment of all Monies, so by the said Sheriffs and Naval Officers respectively received, by Virtue of this Act, and for any Breach of Duty by them committed against the same.

And be it further Enacted, That the said Commissioners, or Trustees of the Loan Office, for the Time being, shall, and they are hereby obliged and required, to keep a distinct and particular Account of

all the Money paid to them by Virtue of this Act, and upon every Payment made to them, to Credit such Account, by the Person paying the same, distinguishing particularly, in such Account, for what the same was paid; and that in Case, during the Continuance of the said recited Acts hereby continued, and this present Act, any more Money shall be raised, or paid to the Commissioners or Trustees aforesaid, in Virtue of the said Acts hereby continued, and this Act, than shall or may answer the Purposes of the former Acts, and also replace and repay the said Sum of Five Thousand Pounds, that the Surplus shall be retained, by the said Commissioners or Trustees, in their Hands, to be disposed of as the General Assembly of this Province shall direct.

L. H. J.
Liber No. 48
July 7

And be it further Enacted, That the Office Bonds of the said Commissioners or Trustees of the said Loan Office, for the Time being, and their Securities in such Bonds, shall be answerable for all Sums of Money, which they shall receive by Virtue of this Act.

This Act to continue for such Time, and so long, and until the Sums mentioned in the several Acts hereby continued, are fully paid and complied with; and also until the Sum of Five Thousand Pounds, by this Act applied and given for his Majesty's Service, shall be fully repaid, and replaced, into the Office of the Commissioners or Trustees of the Loan Office, and until the End of the next Session of Assembly, that shall thereafter happen.

The Indorsements :

p. 149

By the Lower House of Assembly, July 5, 1755.

Read the first and second Time by an especial Order, and will pass.

Signed p Order, M. Macnemara, Cl. lo. Ho.

By the Upper House of Assembly, July 5, 1755.

Read the first time, and ordered to lie on the Table.

Signed p Order, J. Ross, Cl. up. ho.

By the Upper House of Assembly, July 5, 1755.

Read the second time, and will not pass.

Signed p Order, J. Ross, Cl. up. ho.

On Motion, that an Address be prepared to his Excellency, in Answer to his Message of this Day: Ordered, that the Committee of Laws do prepare and bring in an Address accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment &c.

Col. Tilghman, from the Committee of Laws, brings in, and delivers to Mr. Speaker, an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

L. H. J. Col.^o Tilghman, from the Committee of Laws, brings in the fol-
Liber No. 48 lowing ingrossed Address, viz.^t
July 7

To his Excellency Horatio Sharpe, Esq; Governor and Commander
in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message of this Day, we should be extreamly wanting in Duty to, and Affection for, our Fellow-Subjects and Fellow-Christians, on our Western Frontiers, at present under the Terrors of daily Expectations of further Invasions, Depredations and Murders, by the Savage Indian Allies of our most ambitious and most implacable Enemies the French, if we did not embrace every Opportunity of manifesting our deep Concern for their Distresses, and of evincing our Readiness to administer every reasonable Mean within our Power, agreeable to the Duty of our Station, which might probably give Relief, in their most deplorable Circumstances.

p. 150 The several Bills which we have sent to the Upper House, in this and the two last Sessions, are, we hope, sufficient Proofs of our earnest Endeavours to promote his Majesty's Service, on the present Expedition to the Westward, on the Event of which, not only the Lives and Safety of our Fellow-Subjects, on our Western Borders, may immediately, but perhaps our own, consequently, so greatly depend, and as we despair, that any Expedient we can now propose, even would we be so irregular as once more to reconsider the Bill, mentioned by your Excellency, can have any good Effect, we therefore hope, we shall not remain any longer here at present, so greatly expensive to our Constituents, and from the extream Unseasonableness of the Time of Year, so much to the Disadvantage of our private Concerns; and we humbly presume to hope, that we shall not be called again, till a Season proper for continuing upon a Course of the common Business of the Country, unless it shall fortunately happen, that the present Unwillingness in that Honourable House, to concur with Measures reasonable, and well concerted, for promoting his Majesty's Service, and, consequently, perserving the Lives, Liberties, and Properties of Ourselves, and our Fellow-Christians and Subjects, shall be removed; and we take Leave firmly to assure your Excellency, that whenever that may be the Case, the Considerations of Health, Private Concern, and Inclemency of Season, of any Kind, shall vanish before those much more important Ones of his Majesty's Service, and our Country's Safety, and we will, with most chearful Expedition, obey your Excellency's Summons.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Tilghman, and Mr. Benjamin Mackall, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, he was ready to receive the Address immediately in the Conference Chamber.

L. H. J.
Liber No. 48
July 7

Ordered, That Doctor Carroll, with five more, do present the Address to his Excellency.

His Excellency the Governor's Message, relative to Mr. Rawlins, which was referred last Session, is now referred to the Consideration of next Assembly.

The Report relating to the Disposal of the Sum of £6000 which was referred for Consideration this Assembly, is now referred to next Assembly.

His Excellency the Governor communicates to Mr. Speaker the following Message, viz. p. 151

Gentlemen of the Lower House of Assembly,

I have just now received Advice from the Northern Governments, that the French Fleet from Brest, with Four Thousand Land Forces, were arrived in the Harbour of Louisburg, and I am also informed, that no Couriers have arrived at Fort Cumberland, for some Days, from General Braddock, whence there is Reason to apprehend, that the Enemy are between the two Camps, and have cut off the Communication. I was unwilling to comply with the Request you just now made to me, before I had communicated to you this Intelligence, and desired you once more, to take the unhappy Condition of your Country, and the back Inhabitants, under your Consideration, and to make some Provision for their Safety and Protection.

Hor.^o Sharpe.

The House adjourns till the Morrow Morning at 7 of the Clock.

Tuesday, 8th July, 1755.

July 8

The House met according to Adjournment, &c. All appeared as Yesterday, except Mr. Paca, Mr. Tolley, and Capt. Ward.

His Excellency the Governor communicates to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I send you a Letter from Governor Shirley, whereby you will find, we are solicited to lay an Embargo on all Vessels laden with Provisions, for three Months; the several other Northern Governments, have, I am informed, complied with Governor Shirley's Proposal of the same Sort to them, and I doubt not, the Reasons offered in the

L. H. J. Letter that you herewith receive, for their taking such a Step, will
 Liber No. 48 July 8 incline you to come into the same Resolution.

Hor.^o Sharpe.

On Motion, that an Address be prepared to his Excellency, in Answer to his Message of Yesterday: Ordered, That the Committee of Laws do prepare and bring in the same.

On Motion, the Question was put, that Leave be given to bring in a Bill, To lay an Embargo on Ships and Vessels, to prevent the Exportation of Provisions, Ammunition, or Warlike Stores of any Kind;

p. 152 Resolved in the Affirmative: Ordered, that the Committee of Laws do prepare and bring in a Bill accordingly.

On Motion, that an Address be prepared to his Excellency, in Answer to his Message of this Day: Ordered, that the Committee of Laws do prepare and bring in the same.

Major Hall, from the Committee of Laws, brings in an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

The House adjourns till 2 of the Clock.

Post-Meridiem.

The House met according to Adjournment, &c.

Major Hall, from the Committee of Laws, brings in and delivers to Mr. Speaker, the following ingrossed Address, viz.^t
 To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.
 May it please your Excellency,

The Reasons in Governor Shirley's Letter, communicated to this House by your Excellency, in your Message of this Day, mentioned to have induced the Northern Governments to lay an Embargo upon all Vessels laden with Provisions, Ammunition, or Warlike Stores of any Kind, for one Month, has inclined us to come into the same Resolution; and though an Act, which we have already passed this Session, is so severely restrictive, that we have good Reason to hope it will have the desired Effect, yet to manifest our Zeal for the common Cause, and our Desire, by every Measure in our Power, to distress our Enemies, we take Leave to inform your Excellency, that a Bill for laying an Embargo is now forming, and will forthwith be sent to the Upper House.

Which was read, and assented to, and signed, by order of the House, by the Honourable Speaker.

Ordered, That Philip Hammond, Esq; and Capt. Jordan, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that his Excellency was pleased to signify, he was ready to receive the Address immediately in the Conference Chamber.

L. H. J.
Liber No. 48
July 8

p. 153

Ordered, That Mr. Lloyd, with Five more, do present the Address.

Dr. Carroll, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act to prevent any Person or Persons within this Province, from exporting Provisions of any Kind, Ammunition or Warlike Stores, for the Time therein mentioned; which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. James John Mackall and Mr. Gray.

Philip Hammond, Esq; from the Committee of Laws, brings in, and delivers to Mr. Speaker, an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

His Excellency the Governor communicates to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I am very glad to find by your Address, presented me last Friday, that you are well satisfied and convinced of my Principles, Loyalty, and firm Attachment to the present happy Constitution, in Church and State, and at the Confidence you express yourselves to have in my Inclination and Desire to protect and countenance his Majesty's faithful Protestant Subjects in this Province: For doing me Justice in entertaining such Sentiments, I return you Thanks, and at the same Time assure you, I shall embrace every Occasion of confirming you in that Opinion. But lest a Stranger should be led to put a different Construction on some Words in that Address, from what you meant or desire, I shall also endeavour to explain and set in their true and proper Light those Parts which seem most likely to deceive or impose on indifferent Persons, who may have the Curiosity to peruse it.

As you cannot allude to myself, where you speak of frequent Addresses heretofore on this Subject, and as the general Assertions or Insinuations with which the present begins, seem to be founded or dependent on the particular Facts afterwards specified, I shall pass that Part unnoticed, to observe a little upon those remarkable and notorious Incidents and Instances. . . . The Criminal who was condemned in St. Mary's County, and now enjoys the Benefit of a Reprieve, was, you say, recommended to me as a proper Object of Clemency, upon the Merit of becoming a Proselyte to the Popish Religion: Of what Church that unhappy Wretch now declares himself, or that he heretofore entertained different Sentiments with

p. 154

L. H. J.
Liber No. 48
July 8

Regard to Religion, your Address has given me the first Information; but as the Gentlemen, who recommended him to me as a proper Object of Mercy, are well known to be good Protestants, and have shewn, on all Occasions, the firmest Attachment and Loyalty to his Majesty, as you yourselves can Witness for Two of them, who were some Years thought worthy to be Members of your House, I am willing to hope their Recommendation was owing to a different Motive from that which you have assigned; though as you speak pretty positively with Respect to that Matter, I presume you want not some extraordinary Evidence or Testimony, which I hope will not be kept secret, that I may be better enabled to enquire into the Affair, and that the Gentlemen reflected on may have an Opportunity, should it happen to be false, of vindicating themselves, by disproving it.

The two other Instances of Partiality, as you are pleased to speak, shewed to Popish Delinquents in Prince George's County, are, I am told (for till now I was unacquainted within the Pale of what Church they were numbered, my pardoning one Pye, a Youth, and the Wife of one Bevan, each of them on the Application, and at the earnest Request of many Protestant Gentlemen of their Neighbourhood, among whom were the Parties who had been injured. . . . I remember that many favourable Circumstances were urged in Behalf of the first, and that one Inducement to me to yield to his Friends Sollicitation, was, the Probability and Hopes of his being a useful Witness against one Crawford, a noted Felon, then in Custody in Charles County Goal, about to be tried at the Assizes, where Pye was also recognized to appear as an Evidence against him.

Neither was the Woman represented as a less proper Object of Mercy, and many Arguments were urged to move my compassion to hear: If I recollect her Case, she was married to a very loose and extravagant Man: her Husband had been brought up by and depended upon an Uncle; the Wife went with a forged Letter of Credit, signed with the Name of the Uncle, to Mr. Roundell's Store, and in Virtue of that Deceit, obtained Credit for some Goods: This she did, as there was Reason to suppose, with the Privity or by the Compulsion of a necessitous and base Husband; so had the Prosecution been carried on, the simple Wife might possibly have been punished, while the more guilty Husband escaped with Impunity.

I might now proceed to mention the Constable in Charles County, some Persons of Frederick, with more than twenty others, who have been fortunate enough to be recommended to my Clemency, and have by that Means escaped the Punishments, to which their Offences or Misbehaviour had subjected them; but as they were known Protestants, I need not, I suppose, enumerate them: However, I hope you will no longer think, that the Mercy which has been shewn

to the three Delinquents above-mentioned, who haply prove to be of the Roman Catholic Persuasion, shews the very great Prevalence or Power of that Faction, or affords any room to think that they have met with Countenance or Encouragement, or have been treated with the least Partiality or Favour.

L. H. J.
Liber No. 48
July 8

Thus, Gentlemen, for Yours and for your Constituents Information and Satisfaction, I have intimated to you the Reasons and Motives which inclined me to those Acts of Benevolence and Lenity, at which some have taken Offence, not presuming at the Time that I pardoned Offences against the Government, that any Lenity or Compassion exercised towards the People, would be condemned, or excepted against, by their Representatives; neither can I yet believe that your Constituents wish or desire to see you interfering thus far, or prescribing Limits how far a Governor may venture in exercising Clemency; but whatever you or their Opinion or Desire may be, with Respect to that Matter, I will not suffer the undisputed and undoubted Rights of the supreme Magistrate in this Government, to be invaded or infringed on any Pretence whatever: Therefore, I hope, it will not be taken amiss, if I should hereafter exercise that Right of shewing Mercy to such Delinquents as may appear proper Objects, without consulting or advising either with you or them.

What were the Expectations of the People, with Respect to Mr. John Darnal, or the Attorney-General, I know not; but hope they were not unreasonable, and that neither of those Gentlemen have rendered themselves justly obnoxious. I have not had long Experience of them, but, I presume, my Predecessors, who appointed and continued them in Places of Trust, were well satisfied of their being well affected to his Majesty's Person and Government; you know they have conformed to the established Church, and are lawfully qualified to hold any Employment; for my Part, I have nothing to object to their Conduct, and believe they have endeavoured to merit universal Approbation, by duly and impartially executing the Offices which they have many Years enjoyed. p. 156

Gentlemen, Whatever fruitless Attempts to gain a Law for your Security against a Popish Faction, more particularly adapted to your Constitution and Circumstances, may have been made, cannot be imputed to me, as no Bill of that Sort has ever been presented to me; and as the Request, with which your Address concludes, relates to an Affair of the greatest Moment and Consequence, I must beg a longer Time to consider of it, and take Advice, before I determine thereon; but you may be assured, that I will, in the mean Time, take such Measures, as Equity; and the Security of his Majesty's Subjects in this Province, point out and require.

Hor.^o Sharpe.

L. H. J. Col. Hammond, from the Upper House, delivers to Mr. Speaker,
 Liber No. 48 the Bill entituled, An Act to prevent any Person or Persons within
 July 8 this Province, from exporting Provisions of any Kind, Ammunition or Warlike Stores, for the Time therein mentioned, indorsed.

By the Upper house of Assembly 8th July 1755

Read the first time and ordered to Lye on the table

Signed p Order J Ross Cl: up: ho:

And thus By the Upper house of Assembly 5th July 1755

Read the second time by Especial Order and will pass with the following amendment leave out after the word applyed in the 17th line of the first Page to the word provided in the 13th line of the second page and Insert the following that is to say one third part to the use of the Right Honourable the Lord Proprietary his heirs and Successors one third part to the Governor or Commander in Chief of this Province for the time being and the other third part to such person or persons as shall sue for the same to be Recovered in any Court of Record within this Province by Action of Debt Bill plaint or Information wherein no Essoin Protection or Wager of Law shall be allowed.

Signed p Order J Ross Cl: up: ho:

On Motion, Ordered, that the Bill entituled, An Act to prevent any Person or Persons within this Province, from exporting Provisions of any Kind, Ammunition, or Warlike Stores, for the Time therein mentioned, be inserted and printed in the Journal, with the several Indorsements thereon.

Philip Hammond, from the Committee of Laws, brings in the
 p. 157 following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

The Proceedings of this Session will, we hope, evince to all the World our sincere Intentions for his Majesty's Service, and the Relief of our Country, and especially the back Inhabitants, and as we have sufficient Reason to despair of the Concurrence of the Upper House, at this Time, in such Measures as we think best adapted to those Purposes, we must repeat our Request to your Excellency, for the Reasons mentioned in our former Address to this Purpose, to put a speedy End to this Section.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Philip Hammond, Esq; and Col. John Henry, do acquaint his Excellency, that this House hath prepared an Address

to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, he was ready to receive the Address immediately in the Conference Chamber.

L. H. J.
Liber No. 48
July 8

Ordered, That Mr. Benjamin Mackall, and Five more, do present the Address.

In Pursuance of the Order of the House, the following Bill is inserted, viz.^t

A Bill Entituled An Act to prevent any Persons or Persons within this Province, from exporting Provisions of any Kind, Ammunition, or Warlike Stores, for the Time therein mentioned.

Whereas it is represented to this General Assembly, that some of the Northern Governments have thought fit, for his Majesty's Service, to prevent the Exportation of Provision, Ammunition, or Warlike Stores, for some Time, thereby to avoid Supplies to the French; and in Order to the checking such Supplies, it is prayed that it may be enacted.

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, until the Tenth Day of August next, it shall not be lawful for any Person or Persons within this Province, to export, or carry out of this Province, by Water, from any River, Creek, Port, Inlet, or Chesapeak Bay, in any Ship or Vessel whatsoever, any Wheat, Flour, Pork, Beef, Indian Corn, Meal or Provision, of any Kind or Denomination forever, or Ammunition, or Warlike Stores, during the Time aforesaid. p. 158

And it is hereby further Enacted, That no Collector, Naval Officer, or other Officer, having Power within this Province, shall clear out any Ship, or other Vessel, having on board any Wheat, Flower, Pork, Beef, Indian Corn, Meal or Provisions, of any Kind or Denomination forever, or any Ammunition, or Warlike Stores whatever, for and during the Space and Term aforesaid; and in Case any Person or Persons whatsoever, shall and do, during the Space and Term aforesaid, export out of this Province by Water, any Wheat, Flower, Beef, Indian Corn, Meal, or Provisions of any Kind or Denomination, or any Ammunition or Warlike Stores, in any Ship or Vessel whatsoever, such Ship or other Vessel, together with her Takle, Apparel, Sails, Boats, together with the full Value of such Loading, shall be, and is hereby declared to be forfeited, to the Right Honourable the Lord Proprietary of this Province, his Heirs and Successors, to the Uses herein after applied.

And it is further Enacted, That one Moiety of the Forfeitures herein mentioned, shall be for the Use of the Informer, or him or

L. H. J. them that shall or will sue for the same, and the other Half for his
 Liber No. 48 Majesty's Service, to be applied as herein after directed.
 July 8

And it is hereby Enacted, That where any Forfeiture shall happen, and the same shall be adjudged upon any Suit, or Information, by Virtue of this Act, that then the other Moiety of such Forfeiture, not herein given, to the Informer, or him or them that shall or will sue for the same, shall be disposed of by the Naval Officer of the District where the same shall happen, and such Part as is not payable in Money, shall be sold, by such Naval Officer, as aforesaid, in Ten Days after Judgment, for Current Money of Maryland; and all the Monies, by such Forfeiture and Sale as aforesaid arising, shall, by
 p. 159 such Naval Officer, be paid to the Treasurer of the respective Shore, for his Majesty's Service, to be by such Treasurers, paid to the Order of the Governor, or Commander in Chief for the Time being, to defray the Expence of a Courier, or Couriers, to and from the City of Annapolis in Maryland, and Fort-Cumberland at Wills's-Creek, on Patowmack River, in the said Province, and back again to Annapolis.

And it is hereby Enacted, That the several and respective Naval Officers within this Province shall, and they are hereby obliged and directed to, return to the General Assembly of this Province, a distinct Account of all Money which shall arise by Virtue of this Act, from Time to Time; and that in Case any more Money shall remain in the Hands of the respective Treasurers, than may answer to defray the Expence of the said Couriers from and to Annapolis, and Wills's-Creek, and back to Annapolis, in the Space and Term of Four Months; that then, and in such Case, all such Surplus is hereby declared and enacted, shall be applied by the General Assembly to his Majesty's Service, to defray any necessary or contingent Expences in the present Expedition to the Westward of this Province, for the Protection of his Majesty's Subjects.

Provided always, and it is the true Intent and Meaning of this Act, that Bread, Meat, Flour, or other Provisions, for the necessary Use or Support of the Officers and Men, on board any Ship or Vessel, for the Voyage for which such Ship or other Vessel Clears, or the necessary Stores, Ammunition, Cannon, and Small-Arms, suitable for the Defence of such Ship or other Vessel, shall not be deemed, or construed to be within the Restriction or Prohibition, intended or meant by this Act; any Thing therein contained to the contrary thereof, in any wise, notwithstanding.

And the following Indorsements viz.^t

By the Lower House of Assembly, July 8, 1755.

Read the first and second Time by an especial Order and will pass.

Signed per Order, M. Macnemara, cl. lo. Ho.

By the Upper House of Assembly, July 8, 1755.

Read the first Time, and ordered to lie on the Table.

L. H. J.
Liber No. 48
July 8

Signed per Order, J. Ross, cl. up. Ho.

By the Upper House of Assembly, July 8, 1755.

Read the second Time, by especial Order, and will pass, with the following Amendment: Leave out after the Word applied, in the 17th Line of the first Page, to the Word Provided, in the 13th Line of the second Page, and insert the following, that is to say, One Third Part to the Use of the Right Honourable the Lord Proprietary, his Heirs and Successors, One Third Part to the Governor, or Commander in Chief of this Province for the Time being, and the Other Third Part to such Person or Persons as shall sue for the same, to be recovered in any Court of Record within this Province, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection, or Wager of Law, shall be allowed. p. 159[a]

Signed p Order, J. Ross, Cl. up. ho.

Col. Hammond, and Samuel Chamberlaine, Esq; from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately, in the Upper House.

Mr. Speaker left the Chair, and with the Members of the Lower House, went to the Upper House, and presented to his Excellency the Governor, the following ingrossed Bills, viz.^t

An Ingrossed Bill Entituled, An Act to impower Anne Chambers, Widow, to sell certain Lands which Samuel Chambers, late of Anne-Arundel County, died possessed of, in Fee-Simple, for Payment of his Debts.

An Ingrossed Bill Entituled, An Act continuing an Act entituled, An Act for ascertaining the Allowance of Petit-Jurors attending the Provincial Court, to limit Costs with Respect to Witnesses, and for settling their Allowance as to itinerant Charges.

An Ingrossed Bill Entituled, An Act continuing an Act entituled, An Act for the Destroying Squirrels and Crows in the several Counties therein mentioned.

An Ingrossed Bill Entituled, An Act continning an Act entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter.

An Ingrossed Bill Entituled, An Act continuing an Act entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves, by any last Will or Testament.

An Ingrossed Bill Entituled, An Act continuing an Act entituled, An Act for the more effectual destroying Squirrels and Crows in the Counties of Kent, Queen-Anne's, and Talbot, and for destroying red Foxes in the said Counties.

L. H. J. An Ingrossed Bill Entituled, An Act for purchasing Two Acres
 Liber No. 48 of Land in the upper Part of Worcester Parish, in Worcester
 July 8 County, and building a Chapel of Ease thereon.

 An Ingrossed Bill Entituled, An Act for Building a Church in
 St. Mary's White-Chapel Parish, in Dorchester County.

p. 160 An Ingrossed Bill Entituled, An Act to prevent the Exportation
 or carrying out of this Province, Ammunition, Warlike Stores, or
 Provisions of any Kind, towards supplying the French, or their
 Allies.

 An Ingrossed Bill Entituled, An Act for the Relief of Thomas
 Lambden, and Nathan Brittingham, languishing Prisoners in Worces-
 ter County Goal; Thomas Todd, Jasper Hall, and Daniel Wells,
 languishing Prisoners in Anne-Arundel County Goal; Benjamin
 Berry, a languishing Prisoner in Prince George's County Goal;
 Thomas Reynolds, a languishing Prisoner in Frederick County Goal;
 and Edward Dogan, a languishing Prisoner in Baltimore County
 Goal. And,

 An Ingrossed Bill Entituled, An Act to impower John Grineff
 Howard, of Baltimore County, Planter, to dock the Entail of Two
 Hundred and Forty Nine Acres of Land Part of a Tract of Land
 called Harborough, lying in Anne-Arundel County, and to sell and
 convey the same in Fee-Simple, and to entail other Lands of equal
 Value, in Lieu thereof.

 All which his Excellency the Governor passed into Laws, in the
 usual Manner, and made the following Speech viz.^t

Gentlemen of the Upper and Lower Houses of Assembly,

 Finding the Business, for which you were convened, must be left
 undone; I have thought fit, with the Advice of his Lordship's Coun-
 cil of State, to prorogue this Assembly to the first Day of January
 next, and you are to take Notice, you are prorogued to that Day
 accordingly.

 So Endeth this Session of Assembly this eighth Day of July in
 the fifth year of his Lordships Dominion Annoq Domini 1755

Test M. Macnemara Clk: Lo: Ho.

ACTS OF THE ASSEMBLY PASSED IN JUNE AND JULY 1755

At a Session of Assembly begun and held at the City of Annapolis the twenty third day of June in the 5 year of the Dominion of the Right Honourable Frederick absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c annoque Domini 1755 and ending the 8.th day of July following.

Liber H. S.
No. 1
p. 183

The following Laws were Enacted and assented to by his Excellency Horatio Sharpe Esquire Governor.

- No. 1 An Act to Impower Ann Chambers Widow to Sell Certain Lands which Samuel Chambers Late of Ann Arundell County Died possessed of in fee Simple for Payment of his Debts.

Whereas the said Ann Chambers by her humble petition to this present General assembly set forth that her Husband Samuel Chambers Departed this life Intestate Leaving her and one Daughter (their only Child) about fourteen years of age that the said Samuel Chambers at the time of his Death was Greatly Indebted to Divers persons as well Merchants as others in Sundry large Sums of Sterling and Current Money on Mortgage Bonds and other Specialtys and Simple Contracts and left only a small inconsiderable Personal Estate to Discharge the Debts aforesaid. That the said Samuel died possessed of an Estate in fee simple in part of a Tract of Land called Bessenton lying in Ann Arundell County aforesaid near Bean hill (or South River) Church containing three hundred and fifty Acres more or less and also died possessed of one Other Tract of Land called the Obligation lying in Ann Arundell County aforesaid Contiguous to the said Land called Bessenton Containing thirty one acres more or less. That although the Personal Estate of the said Samuel Chambers is Greatly insufficient to Discharge the Debts of the said Samuel which are due on Mortgage Bonds and Other Specialtys and Simple Contracts Yet the said Ann Chambers by her Petition hath set forth she is desirous to Discharge all the said Samuels Just Debts without being Compelled thereto by an Expensive and Legal Course Provided she be Enabled by an Act of assembly of this Province to make Sale of the aforesaid Two Tracts or Parcells of Land, the one being Part of the said Tract of Land called Bessenton and the Other Tract or Parcell of Land called the Obligation (which he the said Samuel Chambers died possessed of) or such Parts of the said Tracts or Parcel of Land as to her the said Ann Chambers should seem Convenient to be sold to be applied to

Liber H. S. the Payment and Discharge of the Debts of the aforesaid Samuel
No. 1 Chambers due on Mortgage Bonds Other Specialties and simple
Contracts aforesaid. It was therefore Prayed for Leave to bring in a
Bill to Enable her the said Ann Chambers administratrix of the said
Samuel Chambers to make sale of that Part of the said Tract of
Land called Bessenton which he the said Samuel Chambers died
possessed of in fee Simple containing three hundred and fifty acres
more or less, as also of the said Tract or Parcell of Land called the
Obligation which he the said Samuel Chambers died possessed of
in fee Simple Containing thirty one Acres or thereabouts or such
Part of the said Two Tracts or Parcells of Land as to her the said
Ann Chambers administratrix shall seem Convenient to answer the
p. 184 Purpose aforesaid to be applied for the Payment and Discharge
of the Debts of the said Samuel Chambers aforesaid Deceased.

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the authority of the same that it shall and may be Lawfull to and for the said Ann Chambers and she is hereby Authorized and Impowered after the end of the Present session of Assembly and after having paid to the Amount of the Personal Estate returned in an Inventory of the said Samuel Chambers his Estate into the Prerogative Office in due Form in Satisfaction of the said Samuel Chambers his Debts to sell and Dispose of so much of the aforesaid part of the Tract of Land called Bessenton which the aforesaid Samuel Chambers died possessed of in fee Simple lying in Ann Arundell County aforesaid Containing Three hundred and fifty Acres or thereabouts and also one Other Tract or Parcell of Land called the Obligation which the aforesaid Samuel Chambers died possessed of in fee Simple lying in Ann Arundell County aforesaid and Containing Thirty Acres or thereabouts as shall satisfy and Discharge the Debts aforesaid of the said Samuel Chambers and no more to any Person or Persons for the best Price she the said Ann Chambers can get for the same Either in Sterling Money, Bills of Exchange or Current Money any Law Statute usage or Custom to the Contrary Notwithstanding.

And be it further Enacted by the Authority Advice and Consent aforesaid that the said Ann Chambers shall and may and she is hereby authorized and Impowered to Execute and deliver unto any purchaser or purchasers for the purpose aforesaid of all or any part of the said Two Tracts or Parcells of Land called Bessenton and the Obligation lying in Ann Arundell County aforesaid which the said Samuel Chambers died possessed of in fee Simple an Indenture or Indentures of Bargain and Sale Expressed to be made between the said Ann Chambers of Ann Arundell County Widow and Administratrix of Samuel Chambers of Ann Arundell County De-

ceased of the one Part and the Purchaser or Purchasers with his or their proper Title or Titles and Additions of the Other Part receiting this Present Act and also Expressing therein the Consideration Money and the Parcells to be thereby Conveyed the Estate therein Conveyed and such other things which are usual in such kind of Conveyances which Deed or Deeds upon the Acknowledgement of her the said Ann Chambers and Recording thereof according to the Direction of an Act or Act of Assembly of this Province to that Purpose still remaining in Force shall be deemed Construed and taken to Carry and Convey unto such Purchaser or Purchasers his or their heirs or assigns for Ever the aforesaid Tracts or Parcells of Land and Premises or such Parts thereof thereby intended and therein mentioned to be Conveyed to all Intents Constructions and Purposes as fully and Effectually as if the same or any other kind of Deed of Conveyance had been by the same Samuel Chambers in his Life time of the Premises made and Completed

Liber H. S.
No. 1

p. 185

And be it further enacted by and with the authority advice and Consent aforesaid that the said Ann Chambers shall and may and she is hereby required Directed and Oblidged within six Months after the Sale out of the Consideration money for which the said Lands or Part or Parcells thereof shall be made and which shall in the Deed or Deeds of Bargain and Sale be mentioned and Expressed to pay and Satisfy unto the Several Legal Creditors of the said Samuel Chambers their Several and respective Debts in such Order and in such manner as the Law will Charge and doth direct and appoint on which payments so as aforesaid before Directed to be made it shall and may be Lawfull to and for the said Ann Chambers out of such part of the Consideration money for the Sale of the said Lands as shall be over and above sufficient to Pay and Satisfy the aforesaid Legal Debts of the said Samuel Chambers to take Receive retain and apply to her own use as Administratrix to the aforesaid Samuel Chambers at the Rate or Proportion of Ten Pounds p Centum as a Salary on the aforesaid payments and Discharge of the Legal Debts aforesaid due from the said Samuel Chambers and Actually Paid and Discharged by her the said Ann Chambers as Administratrix aforesaid, Saving to his most Sacred Majesty his heirs and Successors and to all Bodys Politick and Corporate and all Others not mentioned in this Act their Several and respective Rights.

4th July 1755
Read and assented to
by the Lower House of
Assembly.

Signed p Order
M Macnemara Cl. lo. ho.

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor:º Sharpe

4th July 1755
Read and assented to
by the Upper House of
Assembly.

Sign'd p Order
J Ross Cl Up Ho

The Great
Seal

- No. 2 An Act continuing an Act entitled, An Act for ascertaining the
 Liber H. S. Allowance of Petit-Jurors attending the Provincial Court, to limit
 No. 1 Costs with Respect to Witnesses, and for settling their Allowance
 as to itinerant Charges.

Be it Enacted, by the Right Honourable the Lord Proprietary, by
 and with the Advice and Consent of his Lordship's Governor, and
 the Upper and Lower Houses of Assembly, and the Authority of the
 same, That an Act of Assembly of this Province entitled, An Act
 p. 186 for ascertaining the Allowance of Petit-Jurors attending the Pro-
 vincial Court, to limit Costs with Respect to Witnesses, and for
 settling their Allowance as to itinerant Charges, made at a Session
 [An Act continued.] of Assembly, begun and held at the City of Annapolis, the Twenty-
 fourth Day of May, Anno Domini One Thousand Seven Hundred
 Forty and Nine, be, and is hereby continued, and shall remain and
 be in full Force, for and during the Term of Three Years, and unto
 the End of the next Session of Assembly, which shall happen after
 the Expiration of the said Three Years.

5th July 1755
 Read and assented to
 by the Lower House of
 Assembly.
 Signed p Order
 M Macnemara Cl: lo: ho

On behalf of the Right
 Honourable the Lord
 Proprietary of this Pro-
 vince I will this be a Law
 Hor.^o Sharpe

5th July 1755
 Read and assented to
 by the upper house of
 Assembly
 Signed p Order
 J Ross Cl Up Ho

the Great
 Seal

- No. 3 An Act continuing an Act entitled, An Act for the destroying
 Squirrels and Crows in the several Counties therein mentioned.

Be it Enacted, by the Right Honourable the Lord Proprietary, by
 and with the Advice and Consent of his Lordship's Governor, and
 the Upper and Lower Houses of Assembly, and the Authority of
 the same, That an Act of Assembly of this Province entitled, An
 Act for the destroying Squirrels and Crows, in the several Counties
 therein mentioned, made at a Session of Assembly, begun and held
 [An Act continued.] at the City of Annapolis, the Third Day of June, Anno Domini One
 Thousand Seven Hundred and Fifty Two, be, and is hereby con-
 tinued, and shall remain and be in full Force, for and during the
 Term of Three Years, and unto the End of the next Session of
 Assembly, which shall happen after the Expiration of the said Three
 Years.

5th July 1755
 Read and assented to
 by the Lower House of
 Assembly.
 Signed p Order
 M. Macnemara Cl lo ho

On behalf of the Right
 Honourable the Lord
 Proprietary of this Pro-
 vince I will this be a Law
 Hor.^o Sharpe

5th July 1755
 Read and assented to
 by the Upper House of
 Assembly.
 signed p Order
 J Ross Cl Up Ho

the Great
 Seal

- No. 4 An Act continuing an Act entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter.

Liber H. S.
No. 1
p. 187

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter, made at a Session of Assembly, begun and held at the City of Annapolis, the Third Day of June, Anno Domini One Thousand Seven Hundred and Fifty Two, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years.

[An Act
continued.]

5th July 1755
Read and assented to
by the Lower House of
Assembly
sign'd p Order
M Macnemara Cl. lo. ho.

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

5th July 1755
Read and assented to
by the upper house of
assembly.
Sign'd p order
J Ross Cl Up ho:

the Great
Seal

- No. 5 An Act continuing an Act entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves, by any last Will or Testament.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves, by any last Will or Testament, made at a Session of Assembly, begun and held at the City of Annapolis, the Third Day of June, One Thousand Seven Hundred and Fifty Two, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years.

[An Act
continued.]

5th July 1755
Read and assented to
by the Lower house of
Assembly
sign'd p Order
M Macnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

5th July 1755
Read and assented to
by the upper house of
Assembly.
Signed p Order
J Ross Cl Up ho

the Great
Seal

- No. 6 An Act continuing an Act entituled, An Act for the more effectual
 Liber H. S. destroying Squirrels and Crows in the Counties of Kent, Queen-
 No. 1 Anne's, and Talbot, and for destroying red Foxes in the said
 p. 188 Counties.

[An Act continued.] Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act for the more effectual destroying Squirrels and Crows in the Counties of Kent, Queen-Anne's, and Talbot, and for destroying red Foxes in the said Counties, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty-fourth Day of May, Anno Domini One Thousand Seven Hundred and Forty Nine, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years.

5th July 1755
 Read and assented to
 by the Lower house of
 Assembly.
 Signed p Order
 M Macnemara Cl lo ho

On behalf of the Right
 Honourable the Lord
 Proprietary of this Prov-
 ince I will this be a Law
 Hor.^o Sharpe

5th July 1755
 Read and assented to
 by the upper house of
 Assembly.
 Signed p Order
 J Ross Cl Up Ho

the Great
 Seal

- No. 7 An Act for purchasing Two Acres of Land in the upper Part of Worcester Parish, in Worcester County, and building a Chapel of Ease thereon.

[Preamble.] Whereas, by Petition from many of the Inhabitants of the upper Part of Worcester Parish, in Worcester County, setting forth, that they are intirely destitute of any Place of public Worship, and that there is now, or shortly will be, a Quantity of Tobacco, in the Hands of the Vestry of the said Parish, sufficient for purchasing two Acres of Land, and building thereon a convenient Chapel of Ease: It is humbly prayed that it may be enacted,

[Vestry of Worcester Parish, to purchase 2 Acres whereon to build a chapel.] And be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Vestry of Worcester Parish, in Worcester County, shall, and they are hereby required, as soon as conveniently may be, to purchase two Acres of Land, on the Eastermost Side of a Branch, in the said County, called Peper's Branch, near where the Main-Road crosses the said Branch, and to contract for the Building and compleatly Finishing a Chapel of Ease thereon.

And be it further Enacted, That the said Vestry shall, and they are hereby ordered and directed, out of any Tobacco now in, or which shall next come into their Hands, by any Ways or Means, for any Uses or Purposes whatsoever, (except what is or may be appropriated to the Use and Benefit of a Reader), to pay the purchase Money of the said two Acres of Land, and the whole Expences of Building and compleatly Finishing the said Chapel of Ease. Provided always, that the said Vestry shall not expend more, in the said Purchase and Building, than the Sum of Forty Five Thousand Pounds of Tobacco.

Liber H. S.
No. 1
p. 189

[Not to lay
out on the
Land and
chapel more
than 45000
lbs.]

And whereas it is doubted whether the Vestries of this Province have Power to apply any Tobacco, which may be in their Hands, by Means of the Want of a Rector or Incumbent, towards the Building Churches in their respective Parishes: Be it therefore Enacted, that the Vestry of Worcester Parish, in Worcester County aforesaid, shall and may apply any Tobacco which is now in, or shall next come into their Hands, by the Means aforesaid, except the Sum of Forty Five Thousand Pounds of Tobacco, and what is or may be appropriated, as above mentioned, to the building a Church in the said Parish, if they think proper; any Law, Usage, or Custom to the contrary, notwithstanding.

[Their
Power as to
building a
church.]

5th July 1755
Read and assented to
by the Lower house of
Assembly.
signed p Order
M Macnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Province I will this be a Law
Hor.^o Sharpe

5th July 1755
Read and assented to
by the upper house of
Assembly.
sign'd p Order
J Ross Cl up ho

the Great
Seal

No. 8 An Act for building a Church in St. Mary's White-Chapel Parish, in Dorchester County.

Whereas, by Petition to this General Assembly, from a great Number of the Parishioners of St. Mary's White-Chapel Parish, in Dorchester County, it is represented, that their Parish Church is much gone to Decay, and the Inhabitants who attend Divine Worship at the same being greatly increased, is become too small for the Congregation, and that sundry well disposed Persons have subscribed towards the Building a new Church, on or near the Place where the said old Church stands; and it is prayed that an Act of Assembly may pass, empowering the Justices of the said County, to levy on the taxable Inhabitants of the said Parish, a Sum not exceeding Three Hundred and Fifty Pounds Current Money, at two even and equal Assessments, to be applied towards the Building of the said Church.

[Preamble.]

p. 190

Liber H. S.
No. 1
[Vestry to
contract for
building a
Church in
Dorchester.]

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Vestry of the Parish of St. Mary's White-Chapel in Dorchester County, shall, and they are hereby obliged and required, as soon as conveniently may be, to contract and agree for the Building and compleatly Finishing, a new Church, on or near the Place where the Parish-Church of the said Parish now stands.

[Justices to
Levy 350 l.
at two As-
sessments.]

And be it further Enacted, That the Justices of Dorchester County Court, shall, and they are hereby required to, levy on the taxable Inhabitants of the said Parish, by two even and equal Assessments, in the two next ensuing Years, the aforesaid Sum of Three Hundred and Fifty Pounds Current Money, together with a Sallary to the Sheriff of the said County, for collecting the same, of Five per Cent; and the said Sheriff is hereby directed and impowered to collect, account for, and pay the same to the said Vestry, in the same Manner as other Money-Levies are collected, accounted for and paid, to be applied, by the said Vestry, to the Building and compleatly Finishing the said new Church, and to no other Purpose whatever.

5th July 1755
Read and assented to
by the Lower House of
Assembly
Signed p Order
M Macnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

5th July 1755
Read and assented to
by the Upper house of
Assembly
signed p Order
J Ross Cl Up ho

the Great
Seal

No. 9 An Act to prevent the Exportation or carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards
[Preamble.] supplying the French, or their Allies.

p. 191 Whereas it is represented to this General Assembly, that divers Persons do supply the French, and their Allies, with Provisions, by Land and Water; and also, that sundry Traders to the Northward, have carried Ammunition, Warlike Stores, and Provisions to Saint Peters, in or near the Island of Newfoundland, from whence the French were supplied with the same, to Louisburg, at Cape-Breton, by which Means they are the better enabled to carry into Execution their unjust Schemes upon his Majesty's Dominions, and against his Subjects on this Part of the Continent: In Order therefore, to prevent as much as in us lies for the Future such Evil, it is prayed that it may be enacted,

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, for and during the Continuance of this Act, it shall not be lawful for any Person or Persons within this Province, to take or put on board any Ship or Vessel, in order to export out of this Province, in such Ship or Vessel, any Ammunition, Warlike Stores or Provisions of any Kind or Denomination whatsoever, except for the necessary Use of such Ship or Vessel, without first entering into Bond, to the Naval Officer of the Port where he or they shall clear out their Vessel, or Vessels, which Naval Officer is hereby authorized and required to take such Bond, with good and sufficient Surety, unto the Right Honourable the Lord Proprietary of this Province, in the Sum of One Thousand Pounds, Sterling Money of Great-Britain, with Condition to the same annexed, that he or they shall and will land, deliver, and unload the said Ammunition, Warlike Stores, and Provisions, at some Port or Place within his Majesty's Dominions to the Southward of Newfoundland, or at Annapolis-Royal, or Halifax in Nova-Scotia, and produce a Certificate thereof, to the Naval Officer taking such Bond, within Twelve Months after such taking or putting on board, from the Chief Officer of the Customs of such Port, or if it shall be at a Port where there is no Officer of the Customs, then from the Chief Magistrate, that all such Ammunition, Warlike Stores, and Provisions, have been landed accordingly: And in Case any Person or Persons shall presume, contrary to the Tenor of this Act, to take or put on board any Ship or Vessel within this Province, any such Ammunition, Warlike Stores, or Provisions of any Kind or Denomination whatsoever, without giving such Bond as by this Act is before required and directed, such Person, or Persons, shall forfeit the full Value of such Ammunition, Warlike Stores, and Provisions, of what Denomination soever the same be, as also the Ship or Vessel transporting or carrying the same, with her Sails, Rigging, Anchors, Cables, Guns, Boats and all other Materials to her belonging, to the Right Honourable the Lord Proprietary, for the Uses and Purposes in this Act herein after directed and appointed.

And be it further Enacted, That Oath shall be made, by the Master of every Vessel clearing out, before the said Naval Officer, as to the whole Quantity of Ammunition, Warlike Stores and Provisions, of any Kind or Denomination whatsoever, laden on board such Vessel.

And be it further Enacted, That in Case any Person or Persons within this Province, shall carry any Ammunition, Warlike Stores, or Provisions, of any Kind or Denomination whatsoever, out of the same Province, towards the Branches of the Ohio, or over the Alleghany Mountains, and the same sell or dispose of to the French or

Liber H. S.
No. 1

[Provisions,
&c. not to be
carried out
of the Prov-
ince, except
Bond be
given, &c.]

[Certificate
of the Deliv-
ery to be re-
turn'd within
twelve
Months.]

[Penalty for
Neglect.]

[Master to
make Oath.]

p. 192

[Provisions
&c. not to be
carried by
Land.]

Liber H. S.
No. 1

Others in Trust for their Use, or to their Allies, or any of them, such Person or Persons shall forfeit and pay to the Right Honourable the Lord Proprietary, for the Uses in this Act hereafter mentioned, double the Value of such Ammunition, Warlike Stores, or Provisions of any Kind or Denominations whatsoever, together with the Horses and Carriages made Use of to convey or carry the same, contrary to the Tenor of this Act.

[Forfeitures how recovered.] And it is hereby Enacted, That the several Forfeitures herein mentioned shall and may be recovered in the Provincial Court of this Province, by Action of Debt, Bill, Complaint, Information, or Indictment, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance shall be allowed.

[The Onus Probandi to lie on the Person sued.] And be it further Enacted, That where any Person or Persons shall be sued or prosecuted, by Virtue of this Act, the Onus Probandi shall lie on the Person sued, or prosecuted, to make appear where he or they disposed of such Ammunition, Warlike Stores, or Provisions.

[Forfeitures how applied.] And be it likewise Enacted, That all the Monies and other Things arising by the Forfeitures in this Act, except the Part to the Informers, shall be paid to the Treasurer of the respective Shore, to be by him accounted for to the General Assembly of this Province, from Time to Time, and to be by them applied towards his Majesty's Service, as to them shall seem needful.

[Proclamation to be issued.] And for the more effectual preventing the carrying Ammunition, Warlike Stores, or Provisions of any Kind, from the back Parts of this Province, his Excellency Horatio Sharpe, Esq; or the Governor or Commander in Chief for the Time being, is hereby requested to issue his Proclamation, or Proclamations, to be published in the Western Limits of this Province, charging all Officers, Civil and Others, to be aiding in the Prevention of carrying any Ammunition, Warlike Stores, or Provisions of any Kind, to the French, and their Indian Allies, or to Others in Trust for them, contrary to the Tenor, true Intent and Meaning of this Act, and requiring all his Majesty's Liege Subjects to discover, and make known to him, any Transgressions against this Act.

[One Moiety to the Informer.] And for the better Encouragement of Persons to discover any Transgression of this Act, It is hereby Enacted, that any Person or Persons informing, or who shall inform, against any Person or Persons transgressing against this Act, shall have and receive upon Conviction, one Moiety of all and every Forfeiture or Forfeitures herein before mentioned.

p. 193
[In Case the Provisions, &c. be carried to Spain or Portugal.] Provided always, That in Case any Person or Persons shall or do, within this Province, load on board any Ship or Vessel, any Ammunition or Warlike Stores, Wheat, Indian Corn, or Provisions of any Kind, more than shall be necessary for the Use of such Vessel, it shall and may be lawful to and for such Person or Persons to

carry the same to any Port belonging to the Kings of Spain or Portugal, whilst in Amity with his Majesty, in Europe or Africa, first giving Bond with Surety as aforesaid, in the Sum aforesaid, conditioned, that such Ammunition, Warlike Stores, Wheat, Indian Corn, or Provisions as aforesaid, shall be landed in some or one of the Ports aforesaid; and that a Certificate, under the Hand and Seal of the British Consul, or his Deputy, residing in such Port, returned in Eighteen Months to the Naval Officer taking such Bond, shall vacate the same; any Thing in this Act to the contrary thereof, in any wise, notwithstanding.

Liber H. S.
No. 1

This Act to continue to the first Day of January, which shall be in the Year of our Lord, One Thousand Seven Hundred and Fifty Six.

[Continu-
ance.]

5th July 1755
Read and assented to
by the Lower house of
assembly

Signed p Order
M Macnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

5th July 1755
Read and assented to
by the Upper house of
assembly.

signed p Order
J Ross Cl Up ho

the Great
Seal

No. 10 An Act for the Relief of Thomas Lambden, and Nathan Brittingham, languishing Prisoners in Worcester County Goal; Thomas Todd, Jasper Hall, and Daniel Wells, languishing Prisoners in Anne-Arundel County Goal; Benjamin Berry, a languishing Prisoner in Prince-George's County Goal; and Thomas Reynolds, a languishing Prisoner in Frederick County Goal; and Edward Dogan, a languishing Prisoner in Baltimore County Goal.

Whereas the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, by their humble Petition to this present General Assembly, have severally set forth, that they have continued Prisoners for Debt, in the Custody of the Sheriffs of the several Counties aforesaid, viz. the said Thomas Lambden and Nathan Brittingham, under the Custody of the Sheriff of Worcester County; Thomas Todd, Jasper Hall and Daniel Wells, under the Custody of the Sheriff of Anne-Arundel County; Benjamin Berry, under the Custody of the Sheriff of Prince-George's County; Thomas Reynolds, under the Custody of the Sheriff of Frederick County; and Edward Dogan, under the Custody of the Sheriff of Baltimore County; for a considerable Time past, and still continue in the like deplorable Circumstances, not being able to redeem their Bodies with all the Estate or Interest they have in the World, which they would readily surrender up, and part with, to their several and

p. 194

Liber H. S. No. 1 respective Creditors, if they would accept of the same, and grant the said Petitioners their Liberty, which seems so unlikely for them to obtain, that (unless relieved by a particular Act to be passed in their Favour, which by their said Petitions they have humbly prayed), they must inevitably continue Prisoners for Life, and thereby their Families utterly ruined: And for that the Truth of the said Petitioners Allegations is made appear to this General Assembly, by sufficient Testimony, and that the said Petitioners, and their Families, are fit Objects of Charity, and that their lying in Goal can be no benefit to their Creditors: It is humbly prayed that the said Petitioners may be relieved according to their Prayer, and that it may be enacted,

[Prisoners to be discharged on delivering up their Effects on Oath.] And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That unless all or any of the Creditors of the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or the Creditor or Creditors of any or either of them, or the Attorney or Attorneys of such Creditor or Creditors aforesaid, within this Province, shall, within Twenty Days after the End of this Session of Assembly, go to the Sheriffs of the aforesaid Counties of Worcester, Anne-Arundel, Prince-George's, Frederick, and Baltimore, and give good Security to pay the Imprisonment Fees, that shall or may become due from the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, after the End of the said Twenty Days, and also to find the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or any or either of them, sufficient Meat, Drink and Cloathing, during their future Imprisonment, in Case they the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, shall deliver up and surrender, or cause to be delivered up and surrendered, to the Sheriff of the County aforesaid, in the Presence of Two Justices of the Peace in each of the said Counties, whom the said Sheriffs are hereby required to summon, on Request of the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or any or either of them, at the Dwelling Plantation or Plantations, or Place or Places, where before the Imprisonment of the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, was the Place, or were the Places of Residence of the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells,

Benjamin Berry, Thomas Reynolds, and Edward Dogan, at some convenient Time after the Receipt of this Act, not exceeding Five Days, all their real and personal Estate, either in Possession, Reversion or Remainder, or in Trust, or in, or unto which they have, or any, or either of them, hath, any Claim or Interest whatsoever, and do likewise, before the Day before mentioned, convey, assign, transfer, and make over, unto the said Sheriffs of the Counties aforesaid, for the Use of their said Creditors, all such their Estate, Interest or Claim, as aforesaid, after such Manner as by the said Sheriffs, and the major Part of the said Creditors, or of such of them as shall think fit to direct therein, or their Council learned in the Law, shall reasonably devise or require, at the Costs and Charges of such Persons as shall claim the Benefit thereof, so as the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, be not burthened with any Warranties thereby, other than from themselves, or those that claim by, from or under them, and that the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, and either of them, at the Time of such their surrender and transferring their Estate as aforesaid, shall take his or their solemn Oath or Oaths, (or Affirmation, if a Quaker), before the said two Justices of the respective Counties aforesaid, to be summoned as aforesaid, to the Effect following, viz. I A. B. do affirm, or solemnly swear, That the Goods, Debts and Effects which I have delivered, assigned, and made over to the Sheriff of County, and in Trust for the Use of my Creditors, is the whole Estate both real and personal of my own in Possession, or have any Title to in the World, and that I have not any Estate, Goods or Effects, of any Kind whatsoever, left either in Possession, Reversion, or Remainder, (the necessary wearing Apparel for myself, Wife and Children excepted) and that I have not directly or indirectly, sold, leased, or otherwise conveyed, disposed of, or intrusted, all, or any Part of my Estate, thereby to secure the same to receive or expect any Profit or Advantage thereof; So help me God: It shall and may be lawful for the Sheriffs of the respective Counties aforesaid, after the End of the said Twenty Days, and the said Sheriffs are hereby required to discharge the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, out of their Custody, and to suffer them to go at large.

Liber H. S.
No. 1

[The Oath.]

p. 196

And be it further Enacted, by the Authority aforesaid, That the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, nor any of them, shall hereafter be imprisoned by reason of any judgment or Decree obtained for the Payment of any Debt, Damage or Cost, or for or by reason of any Debt, Damage or Cost,

[To be discharged
from future
arrests on
Appearance,
&c.]

Liber H. S. contracted, occurred, occasioned, owing or growing due, before
 No. 1 the End of this Session of Assembly, but that upon every Arrest, on any such Judgment or Decree, or for any such Debt, Damage or Cost, it shall and may be lawful for the Judges or Justices of the Court where any Process shall issue, upon shewing a Duplicate of the Discharge of the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or any or either of them that shall be so arrested, to release and discharge out of Custody the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or any of them that shall be so arrested. Provided, That the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or any of them, that shall be so arrested, shall and do enter his Appearance, or procure some Attorney to appear to every such Action and plead thereto. Provided, That the Discharge of the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or any of them, shall not acquit any other Person from such Debt, Damage or Cost, or any Part thereof, but that all such Persons shall be answerable for the same in such Manner as they were before the passing this Act.

[Debts to
 stand good
 in Case, &c.]

Provided always, and be it Enacted, by the Authority aforesaid, That notwithstanding the Discharge of the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, all and every Debt or Debts, due or owing from them, or either of them, and all and every Judgment had and taken, or Decree obtained, against them, or either of them, shall stand, and be good and effectual in the Law, to all Intents and Purposes, against the Lands and Tenements, Hereditaments, Goods and Chattels of them, and every
 p. 197 of them, which they, or either of them, or any other Person in Trust, or to the Use of them, or either of them at the Time of the Discharge of the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or either of them, or which they, or either of them, shall or may at any Time hereafter be seized or possessed of, or interested in, to their own Use, or to the Use of either of them, or in their own proper Right, or in the proper Right of either of them, either in Law or Equity (except the Wearing Apparel and Bedding, or Working Tools of them, or either of them, not exceeding the Value of Five Pounds Current Money), and it shall and may be lawful for any of their Creditors, their Executors, Administrators or Assigns, to take out a new Execution, or new Executions, against the Lands, Tenements, Hereditaments, Goods or Chattels, of the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper

Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or either of them (except as before excepted), for the Satisfaction of his, her, or their Debt, or Debts, in such Sort, Manner and Form, as he, she or they, might have done, if the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or either of them, had never been taken in Execution, or discharged by Virtue of this Act.

Liber H. S.
No. 1

And be it further Enacted, by the Authority aforesaid, That if any Action of Escape be brought against any Sheriff aforesaid, or any Suit or Action be brought against any Justice or Justices, for performing their Office, in Pursuance of this Act, he or they may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff be Nonsuit, or discontinue his or her Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover double Cost.

[Action of
Escape.]

Provided; That nothing in this Act shall extend, or be construed to extend, to bar any Creditor or Creditors of the beforementioned Prisoners, or either of them, from having or maintaining any Action of Escape against any Sheriff, who hath permitted any Escape before the making of this Act.

[Proviso.]

Provided nevertheless, That in Case the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or either of them, shall, at any Time after the making such their Oath or Oaths, or taking such Affirmation as aforesaid, be convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Non-compliance with the Tenor of such Oath, or Affirmation, as aforesaid, that then the said Thomas Lambden, Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, or such of them as shall be convicted as aforesaid, shall, upon such Conviction, be adjudged to stand two Hours in the Pillory, and have his left Ear cut off, and shall be wholly deprived of any Benefit designed him or them by this Law, and shall be from thenceforth liable to be prosecuted for any Debts or Demands whatsoever, in the same Manner as if this Act had never been made; any Thing therein contained to the contrary notwithstanding.

[If perjur'd,
not to re-
ceive any
Benefit from
this Act.]

[And to be
pillory'd,
&c.]

And whereas the said Thomas Lambden now stands committed, and is detained in the Custody of the Sheriff of Worcester County aforesaid, on a Capias ad satisfaciendum, at the Suit of the Commissioners, or Trustees, for emitting Bills of Credit established by Act of Assembly: Be it therefore Enacted, That out of the Estate real and personal of the said Thomas Lambden, which he shall deliver and assign to the Sheriff aforesaid, in Trust, and for the Use fo his Creditors aforesaid, the Debt and Cost due to the Commissioners or Trustees aforesaid, for which he stands committed, and is detained, in the said Sheriff's Custody, as aforesaid, be first

p. 198

[Commis-
sioners of
the Loan-
Office to be
first paid.]

Liber H. S. No. 1 paid and satisfied to the Commissioners or Trustees aforesaid, and the Overplus of such Estate, if any there be, and the whole Estate both real and personal of the said Nathan Brittingham, Thomas Todd, Jasper Hall, Daniel Wells, Benjamin Berry, Thomas Reynolds, and Edward Dogan, and every of them, so to be assigned and delivered to the respective Sheriffs as aforesaid, be distributed and applied towards the Payment of the Imprisonment Fees and Debts, from them respectively due, in Proportion to such Imprisonment Fees and Debts, from them respectively due, as aforesaid.

Saving to his most sacred Majesty, his Heirs and Successors, the Right Honourable the Lord Proprietary, his Heirs and Successors, and all Bodies politic and corporate, and all others not mentioned in this Act, their several and respective Rights.

5th July 1755
Read and Assented to
by the Lower house of
Assembly
Signed p Order
M Macnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

5th July 1755
Read and Assented to
by the Upper house of
Assembly
signed p Order
J Ross Cl Up ho

the Great
Seal

No. II An Act to Impower John Greenif Howard of Baltimore County Planter to Dock the Entail of two hundred and forty nine Acres of Land Part of a Tract of Land called Harborough lying in Ann Arundell and to sell and Convey the same in fee Simple and to Entail other Lands of Equal Value in Lieu thereof.

p. 199 Whereas the said John Greenif Howard by his humble petition to this Present General Assembly set forth that John Greenif late of Baltimore County Deceased being in his Life time legally possessed with a Tract of Land then in the said County but now in Ann Arundell County called Harborough which said Tract or parcel of Land he the said John Greenif by his Testament and last Will dated the thirtieth day of October seventeen hundred and eight gave and bequeathed unto his Loving Wife Ruth Grinif during her Natural Life in Consideration of her Dower of his Real Estate and after her Decease to the the Child she was then big with to him or her heirs forever and if the said Child should die without issue or Heir Lawfully begotten of their Bodies then the said Lands to be equally divided between John and Edward Dorsey sons of the said Ruth to them and their Heirs Lawfully Begotten of their Bodies by which said Last Will and Testament Reference being thereunto had may more fully appear. That the Child the said Ruth was then Big with was a Female and Christened by the name of Ruth to whom the said Tract of Land legally descended after the Death of her Mother by the said last Will and Testament of the said John Grinif and the said Ruth the Mother dying the said Ruth the Daughter took

Possession thereof and intermarried with a Certain Laurence Hammond of Ann Arundel County by whom she had Two Children who both died Under Age and Without Issue. That by Virtue of the said Intermarriage the said Laurence Hammond holds and Enjoys Part of the said Tract of Land containing two hundred and forty nine acres of Land Beginning at a Slip'd White Oak Saplin standing North sixty nine Degrees and one Quarter of a Degree West two hundred perches from the second Bounded tree of the aforesaid Land called Harbrough then North and by East to Potapesco River then bounding on and with the said River to the North North East line of the aforesaid Land as Originally Expressed then with the said North North East Line to a bounded White Oak standing on the West side of Callaways Branch being on Antient boundary of the said Land called Harbrough then from the said Tree to the Beginning (or Sliped Saplin) and as the said John Griniff Howard is Informed, has a Right by the Courtesy of England to hold possess and Enjoy for and during his Natural life the said Land and that he as Son and only Child of Catharine Griniff Eldest daughter of the said John Griniff has a right as heir at Law after the Death of the said Hammond to the said Tract of Land and the said John Griniff Howard by his said Petition to this Present General Assembly further therein set forth that he is desirous to sell the said Land and to Cut off and Dock the Entail of the said Land and to replace in the same Consideration and Circumstances, Lands of a Greater or Equal Value and the same Quantity in stead and in Lieu thereof, which said Land to be replaced as aforesaid is part of a Tract of Land lying in Baltimore County called and known by the Name of the Isles of Capese Containing Twelve hundred and fifty six Acres of Land Four hundred and Ten Acres a Part thereof the Said John Griniff Howard by Deed of Bargain and Sale from Mary and Ely Dorsey Legally Executed and Dated the Eighth day of October seventeen hundred and forty Eight holds Possesses and Enjoys. And the said John Griniff Howard by his said Petition to this Present General Assembly further therein set forth that he has Carefully Laid out of the said Tract Four hundred and Ten acres of Land, Two hundred and forty nine Acres of Land to be replaced as aforesaid in lieu as aforesaid, Beginning at Eight bounded White Oaks being the beginning of the Original Tract and running with the Original Lines South East seventy perches then South West Two hundred and Eighty perches then North West seventy four perches then North fourteen degrees East from the Original lines two hundred and ninety Perches then with a Straight line to the Beginning. It was therefore humbly Prayed that an Act of Assembly of this Province might pass in favour of the said John Griniff Howard Impowering him to Cut off and Dock the Entail of two hundred and forty nine Acres of Land Part

Liber H. S.
No. 1

p. 200

Liber H. S. of the aforesaid Tract of Land Called Harborough now in the
No. 1 Possession of the said Laurence Hammond and to Entail in Lieu
thereof the Quantity of Two hundred and forty nine Acres afore-
said under the same Conditions out of the Tract of Land called the
Isles of Capere and Whereas the allegations and Facts Contained in
the Petition of the said John Griniff Howard have Sufficiently been
made apparent Be it therefore Enacted by the Right Honourable the
Lord Proprietary by and with the Advice and Consent of his Lord-
ships Governor and the Upper and Lower Houses of Assembly and
the authority of the same that the said John Griniff Howard be and
is hereby Vested Seized and Possesed of and in all that Part or
Parcell of Land called Harborough formerly lying in Baltimore
County aforesaid and now in Ann Arundell County aforesaid Con-
taining two hundred and forty nine Acres Beginning at a Sliped
White Oak Sapline standing North sixty nine Degr.^e and one
Quarter Degree West two hundred Perches from the second Bounded
tree of the aforesaid Land called Harborough then North and by
East to Potapseco River then bounding on and with the said River
p.201 to the North North East Line of the aforesaid Land as Originally
Expressed then with the said North North east line to a bounded
White Oak standing on the West side of Callaways Branch being
an Antient boundary of the said Land called Harborough then from
the said Tree to the Beginning (or Sliped saplin) with all and Singu-
lar the Appurtenances thereunto belonging as of an Estate in fee
simple to him his heirs and assigns forever and to the only Proper
Use and behoof of him the said John Griniff Howard his heirs
and assigns forever any Devise Entail Limitation or other matter or
Thing heretofore made or done to the Contrary Notwithstanding and
that he the same John Griniff Howard his heirs and assigns be and
are hereby fully enabled authorized and impowered to grant bar-
gain Sell and Convey the aforesaid Part or Parcell of Land called
Harborough containing two hundred and forty nine Acres aforesaid
according to the meets and bounds aforesaid in fee simple as if it had
never been Entailed and that the Person or Persons buying the same
their Heirs or assigns by Virtue of such Grant Bargain Sale and
Conveyance and this Act shall and may have hold possess and Enjoy
the same Land to him or them his or their Heirs or assign respec-
tively forever free and clear of and from all Limitations Conditions
and Entails whatsoever of the aforesaid John Griniff or of any
other person or persons claiming under the said John Griniff And
it is hereby further enacted that the said John Griniff Howard or
his Heirs shall at or before the first day of January Which shall
be in the Year of our Lord one thousand seven hundred and fifty
six cause a Survey to be made of two hundred and forty nine Acres
of Land Part of the Aforesaid Tract of Land called the Isles of
Capere and the same describe by Course and Distance under the

Hands and Seals of Master John Paca Master Walter Tolly and Master Daniel Preston all of Baltimore County Gentlemen or under the hands and Seals of any two of them to be the same two hundred and forty nine Acres part of the aforesaid Tract or Parcell of Land called the Isles of Capere in Lieu of the aforesaid two hundred and forty nine Acres part of the aforesaid Tract of Land called Harborough and Cause the same to be recorded in the records of Baltimore County on or before the first day of March which shall be in the year one thousand seven hundred and fifty six and the same shall and is hereby declared and enacted to be a good and Sufficient Record in Law to distinguish with the said two hundred and forty nine acres any Law Statute usage or Custom to the Contrary in any Wise Notwithstanding and in case he the said John Greniff Howard shall neglect to cause such Survey to be made and a Certificate and Declaration to be entered of Record at or before the first day of March in the Year one thousand seven hundred and fifty six aforesaid as herein before directed that then in such Case the said two hundred and forty nine Acres Part of Harborough shall be and is hereby Vested in Free Tail According to the Will of the said John Greniff and According to the true Intent and meaning of this act Saving to his most sacred Majesty his heirs and Successors the Right Honourable the Lord Proprietary his heirs and Successors and all Bodies Politick and Corporate and all others not mentioned in this Act their Several and Respective Rights.

Liber H. S.
No. 1

p. 202

5th July 1755
Read and assented to
by the Lower house of
Assembly

Signed p Order
M Macnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Province I will this be a Law
Hor.^o Sharpe

5th July 1755
Read and assented to
by the Upper house of
Assembly

Signed p Order
J Ross Cl up ho

the Great
Seal

I hereby Certifie that William Steuart Clerk of the Provincial Court and Secretarys Office of the Province of Maryland this day Personally Appeared before me the Subscriber one of the Right Honourable the Lord Proprietary afs.^d his Council of State and made Oath on the Holy Evangelis of Almighty God that he Carefully Examined the Laws contained in this Book beginning at folio 183 and Ending at folio 202 with the Original Acts that Passed the Great Seal Sworn to this 8th of Sept.^r Anno Domini 1755

C: Hammond

SEAL

The Seal of the Provincial Court is hereunto affixed on behalf of George Steuart Esquire Deputy Secretary of Maryland.

William Steuart Clk of the Sec.^{rys} Office and Provincial Court.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, February 23–May 22, 1756.

Being the Fourth Session of the Assembly Elected in 1754.

FREDERICK CALVERT, LORD BALTIMORE,
Lord Proprietary.

HORATIO SHARPE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Monday the 23^d day of February in the fifth year of His Lordships Dominion Annoque Domini 1756

U. H. J.
Liber No. 35
1756,
February 23
p. 49a

Present

His Excellency Horatio Sharpe Esq.^r Governor

The Hon. ^{ble}	{	Benjamin Tasker Esq. ^r	}	Col. ^o Benjamin Tasker	
		Col. ^o Charles Hammond			Benedict Calvert Esq. ^r
		Samuel Chamberlaine Esq. ^r			

Mess.^{rs} Govane and [Smallwood] from the Lower House Acquaint His Excellency that there is a Sufficient Number of Members met to make a house and wait His Excellency's Commands

Colonel Charles Hammond and Samuel Chamberlaine Esq.^r are Sent to the Lower House to Acquaint them that His Excellency requires their immediate Attendance in the Upper House

The Lower House Attend and His Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

I meet you at this time to give you an Opportunity of Providing for your own Immediate Safety and of Contributing to the Execution of a Plan that in Obedience to His Majestys Instructions to General Shirley has been Concerted for Preventing the farther Encroachments of His Majestys Ambitions on his American dominions and dispossessing them of what they have most unjustly and in Manifest Violation of Treaties, lately made themselves Masters of; In Confidence that you will keep them Secret I shall for your Satisfaction lay before you a Copy of the Minutes of the Proceedings of a Council of War held at New York Together with some Papers that I received from the General therewith whence you will learn what Supplies are Expected from His Majestys Several Colonies on this Continent towards Carrying the Proposed Plan into Execution, And as I doubt not but you are affected with as deep a sense of the danger of Suffering the Enemy to make any further Progress and of your duty to His Majesty as any of your fellow Subjects in the Neighbouring Provinces I persuade myself you will acquit your-

U. H. J.
Liber No. 35
February 23

selves on this occasion as well as the most Zealous of them and that you will Chearfully Exert your utmost Endeavours to render those Enterprizes Successfull that are undertaken for our Common Safety and in the Event of which we are so nearly interested: I need not observe to you that our Circumstances and Prospect are much altered since last Spring you are all too well Acquainted with the Issue of the Expedition in which the Troops that His Majesty had been Graciously Pleased to Order from Europe to our Assistance
p. 50 and some of the Provincial Forces were then Engaged and the Consequences thereof to these Southern Colonies most of the Delaware and Shawanese Tribes who were then Esteemed our Friends the French by their Artifices have now withdrawn them from their Attachment to His Majestys Subjects, and Instigated them to make the Frontier Inhabitants feel and Experience the Calamities of an Indian War, with Impunity have these Blood thirsty Savages laid Great part of three Provinces desolate Flushed with Victory they bid us defiance and Insolently threaten that their Cruel Rage will not be Satisfied with less then our Exterpation, but decline to Enlarge on this Topick lest I should seem to Suspect that your Resentment is not already Sufficiently Raised by the Conduct of these Barbarians or that you Continue Indifferent Spectators of their Transactions that such a Suspicion would be Groundless and most unjust I am Confident and flatter myself that you will let nothing at this time divert you from providing against their Incursions for the future and for the Services that I have now Recommended to your consideration

Gentlemen

As the Reasons that Induced you at your last meeting to make an Act for Preventing Warlike Stores and Provisions being Carried from this Province to our Enemies Still Subsist you will I doubt not think proper to Revive it lest any ill disposed Persons should have taken Advantage of that Acts Expiring before I could give you an Opportunity of Continuing it I ordered the Naval Officers to take of such Persons as should Export Provisions or Warlike Stores Security for their being Landed at some Port or Place within His Majestys Dominions as was directed by that Law, and as is done in all the Neighbouring Colonies as this Step was Expedient and necessary I hope it will meet with your approbation I beg leave to mention once more the insufficiency of our Laws to oblige the Service of any one in defence of their Country Hoping that you will take the same under your consideration that as our Safety at this Season must in a great Measure depend on the Militia's being well Armed, disciplined and under proper Regulations that you will Supply the defects of the Militia Laws at present in Force with such an Act as the Situation of affairs at this Juncture calls for and requires

Mess:^{rs} Paca and Reeder from the Lower House Attend with M^r William Smith a Member Elected for Baltimore County and John Reeder jun^r a Member Elected for S^t Marys County in Order to see them Qualified who take the Several Oaths to the Governmt appointed to be taken by Act of Assembly Repeats and Subscribe the Abjuration and the Test and then withdraw

U. H. J.
Liber No. 35
February 23

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 24:th February 1756

February 24

This House met again according to Adjournment

Present as Yesterday

A Message from the Lower house by Mess:^{rs} Dulany and Earle

By the Lower House of Assembly 23:^d Febr^y 1756

May it Please your Honours

This House hath appointed M.^r Dulany M.^r Earle M.^r Edge M.^r Beall M.^r Williamson and M.^r Bracco a Committee from this House to Inspect the Accounts and Proceedings of the Commissioners for Emitting Bills of Credit Established by Act of Assembly and Desire your Honours to appoint one or more Members of your House to Join in the said Committee

p. 51

Signed p Order M Macnemara Cl: Lo: Ho

The following Message is Sent to the Lower House by Samuel Chamberlaine Esq:^r

By the Upper House of Assembly 24:th February 1756.

Gentlemen

This House hath appointed Samuel Chamberlaine Esq.^r to Join the Members Named by your house in a Committee to Inspect the Accounts & Proceedings of the Commissioners of the Paper Currency Office

Signed p Order John Ross Cl: Up: Ho:.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

U. H. J. Benjamin Tasker Esq.^r Attended by the Members of this House
 Liber No. 35 Presents to his Excellency the Address of this House which follows
 February 24 in these words

To His Excellency Horatio Sharpe Esq.^r Governor and Commander in Chief in and over the Province of Maryland

The Humble Address of the upper House of Assembly
 May it Please your Excellency

We beg leave to return your Excellency our unfeigned thanks for your Speech at the opening of this Session and to Assure your Excellency it is with the deepest Concern we see the Miseries our Fellow Subjects daily Suffer from Cruel and Barbarous Savages and His Majesties Territories Possessed by the faithless French in open Violation of the Most Solemn Treaties and we Rejoice to hear from your Excellency a Plan has been Concerted by General Shirley for Preventing their farther Encroachments and of dispossessing them of what they most unjustly made themselves Masters of, We Sincerely wish it Success And shall with the greatest Chearfulness and alacrity Contribute all in our power to Enable the General to Carry it into Execution being Perfectly Convinced that without the most Vigorous and Joint Efforts of all his Majestys Colonies at the time we Run the greatest Risque of losing everything we hold Dear

The Laws your Excellency Recommended to us for better Regulating the Militia and for preventing the Exportation of Warlike Stores and Provisions to the Enemy we think Absolutely Necessary and such Laws shall meet with our hearty Concurrence.

Permit us Sir to take this opportunity thankfully to acknowledge your Zealous Concern for the welfare of the Province Manifested after the defeat of His Majestys Forces when you heastened to the Frontiers and put them in the best Posture of defence things would at that time admitt and to declare that we think from this Prudent Conduct of your Excellencys our Borders have been preserved from the Calamities our Neighbours now Suffer

Benj.^a Tasker President

Adjourned till to Morrow Morning ten of the Clock

February 25

Wednesday Morning 25.th February 1756

This House met again according to Adjournment

Present as Yesterday with the Addition of Richard Lee Esq.^r

p. 52 Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 26th February 1756

This House met again according to Adjournment

U. H. J.
Liber No. 35
February 26

Present as Yesterday

A Bill from the Lower House by Mess:^{rs} Lloyd and Reynolds Entituled An Act Reviving and continuing an Act Entituled an Act to prevent the Exportation or Carrying out of this Province Ammunition Warlike Stores or Provisions of any kind towards the Supplying of the French or their Allies thus Endorsed

By the Lower House of Assembly 26th Febr^y 1756

Read the first and Second time by an Especial Order and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this House and Ordered to lye on the Table
Adjourned 'till three of the Clock in the afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

The Governor is Pleased to Communicate to this House his Answer to the Address of this House which is as follows

Gentlemen of the Upper House of Assembly

Be pleased to Accept my gratefull acknowledgements for your obliging Address, Your observation that nothing less than the most Vigorous and joint Efforts of all His Majestys Colonies can Check the Progress of our Ambitious and Mercyless Enemies is most Just and I am perswaded that you will Chearfully Contribute all in your Power to the Success of every undertaking whereby the Security and welfare of this Province as well as His Majestys Service may be promoted

Though I cannot assume any Merit from the Journy, which a desire of Serving the Frontier Inhabitants Prompted me to undertake on the unhappy Occasion mentioned in the latter part of your Address yet it gives me the greatest Satisfaction to find the People of Maryland have by any Means Escaped the Miseries and Calamities which the neighbouring Colonies have Suffered

Horatio Sharpe

Samuel Chamberlaine Esq:^r from the Committee appointed to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office brings in the following Report

U. H. J.
Liber No. 35
February 26

At a Committee of Both Houses of Assembly appointed
to Inspect the Office & Proceedings of the Commissioners
for Emitting Bills of Credit Established by Act of Assembly
February 26th 1756

Were Present

The Honourable Samuel Chamberlaine Esq:^r of the Upper House
M.^r Walter Dulany M.^r Michael Earle
M.^r James Edge M.^r Alex:^r Williamson } of the Lower House
and M:^r John Bracco }

Who make Choice and appoint the Honourable Samuel Chamberlaine Esquire Chairman and Richard Dorsey their Clerk and proceed to make the following Report

Your Committee find that the Commissioners have Closed their Books to the 17th day of February instant by which it appears that there Remain of the £89990 a Balance in the Iron Chest of £4117..8..4 and that since the Closing the Books they have Received the sum of £440..0..2½ Amounting in the whole to £4557..8..6¼
p. 53 which is Submitted to the Consideration of both Houses of Assembly

Sam: Chamberlaine	James Edge
Walter Dulany	Alex: ^r Williamson
M: ^r Earle	John Bracco

Read the Petition of Sundry the Back Inhabitants of Frederick County Praying a Supply of Arms and Ammunition and a Number of men may be granted them for their Protection Referred to the Consideration of the Lower house and sent by Benedict Calvert Esq^r

Adjourned 'till to morrow Morning ten of the Clock

February 27

Friday Morning 27th February 1756

This House met again according to Adjournment

Present as Yesterday

Read the Second time the Bill Entituled an Act Reviving and Continuing an Act Entituled an Act to Prevent the Exportation or Carrying out of this Province Ammunition Warlike Stores or Provisions of any kind towards Supplying the French or their Allies Passed and sent to the Lower House by Richard Lee Esq^r

Adjourned 'till three of the Clock in the afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned 'till to Morrow Morning ten of the Clock

Saturday Morning 28th Febr^y 1756

U. H. J.
Liber No. 35
February 28

This House met again according to Adjournment

Present as Yesterday Except Col:^o Hammond
Adjourned 'till three of the Clock in the afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower House by Mess.^{rs} Tilghman and Hawkins Entituled an Act Reviving and Continuing an Act Entituled an Act to prevent the Exportation or Carrying out of this Province Ammunition or Warlike Stores or Provisions of any kind towards Supplying the French or their Allies thus Subscribed

28th February 1756

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl: Lo: Ho:

Read and Assented to by this House and Ordered to be so Subscribed

The Paper Bill so Endorsed is sent to the Lower house by Benedict Calvert Esq.^r

Adjourned till Monday Morning ten of the Clock

Monday Morning 1st March 1756

March 1

This house met again according to Adjournment

Present as on Saturday

A Bill from the Lower house by Mess.^{rs} Goldsborough and Edmondston Entituled An Act for the Adjournment of Talbot and Dorchester County Courts thus Endorsed

By the Lower House of Assembly 1st March 1756

Read the first and Second time by an Especial Order and will pass

Signed p Order M Macnemara Cl Lo: Ho

Adjourned 'till three of the Clock in the afternoon

p. 54

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the first and Second time by Especial Order the Bill Entituled an Act for the Adjournment and Continuance of Talbot and Dorchester County Courts Passed and sent to the Lower House by Col.^o Benjamin Tasker

U. H. J. An Engrossed Bill from the Lower House Brought by Mess^{rs}
 Liber No. 35 Gray and Edge Entituled an Act for the Adjournment and Con-
 March 1 tinuance of Talbot and Dorchester County Courts thus Subscribed

1st March 1756

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl: Lo: Ho:

Read and Assented to by this House and Ordered to be so Subscribed

The Paper Bill so Endorsed is sent to the Lower House by Benedict Calvert Esq:.

Samuel Chamberlaine Esq: and Col: Benjamin Tasker are sent to the Lower House to Acquaint the Speaker that His Excellency Requires his immediate attendance with the Lower House in the upper House to see the Bills Receive the Assent

The Lower house attend and the Speaker present to His Excellency the following Bills

An Act Entituled an Act Reviving and Continuing an Act Entituled an Act to prevent the Exportation or Carrying out of this Province Ammunition Warlike Stores or Provisions of any kind towards Supplying the French or their Allies

An Act for the Adjournment and Continuance of Talbot and Dorchester County Courts

Which his Excellency Passed into Laws in the usual form by Sealing them with the Right Honourable The Lord Proprietary his Great Seal at Arms and Subscribing them on Behalf of the The Right Honourable The Lord Proprietary of this Province

I will this be a Law

Adjourned till to Morrow Morning ten of the Clock

March 2

Tuesday Morning 2^d March 1756

This House met again according to Adjournment

Present as Yesterday

Read the Petition of the Locust Neck Indians Praying Relief Referred to the Consideration of the Lower House of Assembly and sent to the Lower house by Benedict Calvert Esq:.

Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the morning

Adjourned 'till to Morrow Morning ten of the Clock

Wednesday Morning 3^d March 1756

This House met again according to Adjournment

U. H. J.
Liber No. 35
March 3

Present as Yesterday and Col:^o Hammond
Adjourned till three of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning
Adjourned till to Morrow Morning ten of the Clock

p. 55

Thursday Morning 4:th March 1756

March 4

This House met again according to Adjournment

Present as Yesterday
Adjourned till three of the Clock in the afternoon

Eodem die post Meridiem

This House met again according to Adjournment

Present as in the Morning
Adjourned 'till to Morrow Morning ten of the Clock

Friday Morning 5th March 1756

March 5

This House met again according to Adjournment

Present as Yesterday
Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Message from the Lower House by Mess:^{rs} Hall and Williamson

By the Lower House of Assembly March 5th 1756
May it Please your Honours

We have now under our Consideration a Bill for the defence of the Province but as it Requires time to Frame it with Propriety and to agree on means to Raise a fit Sum of money for the necessary and Important Purpose and in the mean time our Frontier Inhabitants may be greatly distressed if not Speedily assisted We desire your Concurrence to an Ordinance for the payment of five hundred

U. H. J.
Liber No. 35
March 5

pounds by the Commissioners of the Loan office to his Excellency the Governor to be by him laid out and disposed of for the Protection and Security of the said Inhabitants and also to Enable him to pay to any the Inhabitants of this Province who have or shall Kill and Scalp or take alive any Indian Enemy the sum of Ten pounds Current money and we will take proper measures in our Bill for Replacing the said Sum that the Credit of our Currency may not be thereby affected

Signed p Order M Macnemara Cl: Lo: Ho:

Adjourned 'till to Morrow Morning ten of the Clock

March 6

Saturday Morning 6th March 1756

This House met again according to Adjournment

Present as Yesterday Except Rich:^d Lee Esq.^r

This House sent the following Message by Col.^o Benjamin Tasker
By the Upper House of Assembly 6 March 1756

Gentlemen

In Answer to your Message of Yesterday by Mess:^{rs} Hall & Williamson this House is willing that an ordinance of both houses be made for the payment of £500 by the Commissioners of the Loan Office to His Excellency the Governor to be by him disposed of for the immediate Protection and Security of the Inhabitants on the Frontiers and also to Enable him to pay any of the Inhabitants of this Province who have or shall Kill and Scalp or take alive any Indian Enemy the sum of Ten pounds Current money

Signed p Order John Ross Cl: up Ho

The following Ordinance is brought from the Lower House by Mess:^{rs} Goldsborough and Henry

p. 56

For the immediate defence and Protection of the Frontier Inhabitants of this Province from the Cruelties and depredations of the Indians It is Ordered by his Excellency the Governor and the Upper and Lower Houses of Assembly that the Comm^{rs} or Trustees for Emittings Bills of Credit Established by Act of Assembly shall pay to his Excellency the Governor or his Order the sum of Five hundred pounds Current money out of the Publick monies now in their hands to be by him laid out and disposed of as well in the fulfilling and performing his Engagements with the Parties Raised by his Command by the Lieutenants Baker and Shelby and for the payment of the sum of Ten pounds Current money to any of the Inhabitants of this Province or friend Indian who have or shall Kill and Scalp or take alive any Indian Enemy as for the further Securing and defending the said Frontier Inhabitants in such manner as to him shall seem Expedient and that the said Commissioners

or Trustees Charge such payment in a particular and distinct Account to be kept by them for that purpose

U. H. J.
Liber No. 35
March 6

Horatio Sharpe

March 6th 1756

Read and Assented to By the Lower House of Assembly

Henry Hooper Speaker

March 6th 1756

Read and Assented to By the Upper House of Assembly

Benj.^a Tasker President

Adjourned 'till Monday Morning ten of the Clock

Monday Morning 8.th March 1756

March 8

This House met again according to Adjournment

Present

Benjamin Tasker Samuel Chamberlaine Esq^{rs}

Col^o Tasker and Benedict Calvert Esq^r

Adjourned 'till to Morrow Morning ten of the Clock

Tuesday Morning 9th March 1756

March 9

This House met again according to Adjournment

Present as Yesterday and Col.^o Hammond

Mess:^{rs} Hall and Addison from the Lower House Attend with M.^r Charles Carroll a Member Elected for Annarundel County in the Room of Doctor Charles Carroll deceased in order to see him Qualified who takes the Several Oaths to the Government appointed to be taken by Act of Assembly Repeats and Subscribes the Abjuration and Test and then withdraws

Adjourned till three of the Clock in the afternoon

Eodem die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Samuel Chamberlaine Esq^r from the Committee appointed to Inspect the Accounts and proceedings of the Commissioners of the Paper Currency Office brings in the following Report

U. H. J.
Liber No. 35
March 9

Maryland ss:^t At a Committee of both Houses of Assembly Appointed to Inspect the Office and proceedings of the Commissioners for Emitting Bills of Credit Established by Act of Assembly

Were Present

The Honourable Samuel Chamberlaine Esq:^r of the Upper House Chairman

M ^r Walter Dulany	M ^r Michael Earle	} of the Lower House
M ^r James Edge	M ^r Josiah Beall	
M ^r Alex ^r Williamson	M ^r John Bracco	
and		
Col ^o John Henry		

p. 57 who Agree to make the following Report

Your Committee find by the Office Books that there Remain due to the Office for money taken out by the Act for the Expedition against Cuba to be Replaced by Public Assessment the sum of £686..14..6 By the Act for the Expedition against Canada to be Replaced by Ordinary Licences the sum of £1047..3..10½ And that there also Remains due to the Office for money taken out by the Act for His Majestys Service past in July 1754 which is to be [re]placed by Ordinary Licences, the duty on Servants Madeira wine and wheel Carriages and the Additional duty on Negroes the sum of £3817..0..4½ as p^r the following Account Viz:^t

D.^r The Publick by the Act for Encouragement of Able Bodied Freemen Voluntarily Inlisting in His Majesty's Service for the Expedition against Cuba

To money paid the Agents Appointed by the said	} £2357..10.. 0
Act	

C^r

By money Returned by the Agents.....	£707..10.. 0
By money paid by Several Sheriffs in part of the	} 963.. 5.. 6
Publick Assessments	
Balance due on this Account to the Office to be	} 686..14.. 6
paid by Publick Assessm ^t	
	<u>£2357..10.. 0</u>

D^r The Publick By the Act for Encouragement of Able Bodied Freemen Voluntarily Inlisting in His Majestys Service for the Expedition against Canada

To money paid by the Comm: ^{rs} in Pursuance of the above mentioned Act.....	£4299..11.. 4	U. H. J. Liber No. 35 March 9
To Balance carried to the Credit of the Account of the Publick by the Act for Purchasing Provisions for the Forces on the Canada Expedition	53.. 4.. 5½	
	<u>£4352..15.. 9½</u>	

C^r

By the Balance Arising to the Publick by the Act for raising & Transporting his Majestys Forces to Cuba.....	1010..12.. 2¾
By money paid by Several Sheriffs for Ordinary Licences to the 17 th February 1756.....	3342.. 3.. 6¾
	<u>£4352..15.. 9½</u>

D^r The Publick By the Act for Purchasing Provisions for His Majestys Forces on the Canada Expedition

To money paid by the Comm: ^{rs} to the Several Agents in Pursuance of the said Act.....	£1100.. 8.. 4
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C^r

By Balance brought from the amount of the Publick by the Act for Encouragement of able Bodied Freeman Voluntarily Inlisting in His Majestys Service for the Expedition against Canada	53.. 4.. 5½
Ballances due on this Account to be paid by Ordinary Licences	1047.. 3..10½
	<u>£1100.. 8.. 4</u>

D^r The Publick By the Act for His Majesties Service in the year 1754

To Cash paid the Governor at Sundry times, by the Commissioners in Pursuance of the above Act.....	£1000.. 8.. 0
--	---------------

C^r

By Cash paid John Earle Clerk of Dorchester County for Pedlars Licences Granted in the year 1754	£15..12.. 0
By ditto paid by Henry Johnson Clerk of Worcester County for ditto.....	7..16.. 0
By ditto paid by Rich: ^d Tilghman Clk of Queen Anns County for ditto.....	11..14.. 0
	<u>£35.. 2.. 0</u>

U. H. J. Credits in the last preceeding Account Brought up		
Liber No. 35 and Continued		£35.. 2.. 0
March 9 By the Naval Officer of Oxford for		
p. 58 seven years Servants.....	£10..14.. 6	
By Ditto of Potowmack.....	96..10.. 6	
By ditto of Ditto for Servants.....	3..13.. 1½	£110..18.. 1½
By ditto of Oxford for Negroes.....	4.. 7.. 9	
By ditto of Potowmack for ditto....	1.. 9.. 6	5..17.. 3
By ditto of ditto on Madeira wine....	28..16.. 7½	
By ditto of Oxford for ditto.....	2..13.. 7½	31..10.. 3
Balance due on this Account.....		3817.. 0.. 4½
D ^r £4000.. 8.. 0		£4000.. 8.. 0

Memorandums

Money paid into the Office since the Closeing the Books

By Col. ^o Benjamin Tasker Naval Officer of An-		
napolis for the duty on Convicts.....	173..11.. 0	
By ditto on ditto for Indented Servants.....	42.. 8.. 3	
By ditto for ditto on Negroes.....	9.. 5.. 3	
By ditto for ditto on Madeira wine.....	34..10.. 3¾	
		£259..14.. 9¾
By George Gordon late Sheriff of Frederick County		
for Ordinary Licences.....	118.. 0.. 0	
By Henry Johnson Clerk of Worcester County for		
Pedlars Licences	15..12.. 0	
By Thomas Hayward Jun. ^r Clerk of Somerset		
County for ditto.....	3..18.. 0	
By Henry Ballard late Sheriff of Somerset his		
Exers for Ordinary Licences.....	10.. 1.. 0	
By James Smith Clerk of Kent County for Pedlars		
Licences	23.. 8.. 0	
By John Caile Clerk of Dorchester County for ditto.	15..12.. 0	

Your Committee further find that no money hath been paid into the Office in discharge of the Balances frequently Repeated to be due from the following Sheriffs for Publick assessments and Ordinary Licences Viz^t

Edward Trippe late Sheriff of Dorchester County..	£110..15..10½
Richard Porter late Sheriff of Talbot County.....	76.. 8.. 6
Benjamin Braddford late Sheriff of Cæcil County..	29..12.. 1
	£216..17.. 5½

Your Committee also find that the Method of Book Keeping which has been and now is used in the Paper Currency Office and the Neglect of some of the Officers Impowered to Collect the Several funds payable into that Office is such that your Committee hath not been able to make such Estimates of what the funds Annually Produce as is Required of them by the Honourable the Upper and Lower Houses of Assembly; And that if the present Method be Continued the said Books must Remain in the same Confused Manner

U. H. J.
Liber No. 35
March 9

Your Committee thereof Humbly Proposes that the present method of Keeping the Books in that Office may be Changed into that which is Commonly called the Italian Method or double Entry and that the Commissioners be directed to Keep the Office Books for the time to come in that manner and form and that the Iron Chest Account may be made to Answer to a General Cash Account to all Intents & purposes

Your Committee further Propose that an Address be presented to His Excellency the Governor to order the Several officers Concerned in Collecting the money to be paid on the Several funds into the said Office to Return proper Accounts in due time and make payment accordingly

All which is Submitted to the Consideration of the Lower House of Assembly The Hon^{ble} Samuel Chamberlaine Esq:^r of the Upper House not Concurring therewith

5th March 1756

p. 59

The Committee appointed by the Lower house of Assembly to Inspect the Office and proceedings of the Commissioners of the Paper Office having this day Closed their Report of the State of the Paper Office which I Refused to Concurr in by Reason they denied to the following ammendment proposed by me (to Wit) Instead of these words in the fourth and fifth lines of the Report "And that if the present Method be Continued the said Books must Remain in the same Confused manner Incert the following words to Wit And that if the Present Method be Continued the same difficulty will still Remain
Sam Chamberlaine

A Bill by Mess:^{rs} Stoddart and Chaplin Entituled an Act for the Adjournment and continuance of Frederick County Court thus Endorsed

By the Lower House of Assembly 9:th March 1756

Read the first and Second time by an Especial Order and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this House and Ordered to lye on the Table Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
March 10

Wednesday Morning 10th March 1756

This House met again according to Adjournment

Present as Yesterday and M^r Thomas

Read the second time the Bill Entitled an Act for the Adjournment and Continuance of Frederick County Court passed and sent to the Lower house by Samuel Chamberlaine Esq:^r

Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

March 11

Thursday Morning 11th March 1756

This House met again according to Adjournment

Present as Yesterday

Read the Petition of Daniel Kennedy of Frederick County Praying an Allowance may be made him for the Ferriage of Fifty five Wagons with his Majesties Stores and for the Ferryaage of Col:^o Dumbars Regiment over Monococy River The Petition of Thomas Hollyday and Leonard Hollyday for leave to bring in a Bill to cut off the Entail of a Tract of Land called Buzard Island and the the Addition to Buzzard Island Containing seven hundred and fifty one Acres The Petition of the Subscribers Inhabitants of Kent County Praying Relief relating to Several of the Publick Roads being made unpassable by Several Milldams in the said County. The Petition of the Subscribing Inhabitants of Kent County Praying an Act may Pass to allow the Inspectors at Falkoner's Landing and George Town in the Upper part of the said County but Twenty pounds each or that one Inspector may do the duty at both houses The Petition of Edward Dorsey and William Reynolds of the City of Annapolis Gent Praying leave to bring in a Bill to enable the Clerk of Ann Arundel County to Record a Deed of Bargain and Sale from Thomas Larkin to John Jordan for a Lott of Land in the said City The Petition of the Rector Vestrymen and Church Wardens and others of Allhallows Parish in Worcester County Praying that a

p. 60 Quantity of Tobacco not exceeding forty five thousand by five Annual Payments may be Levied on the Taxable Inhabitants of the said Parish towards finishing and Compleating the Church therein mentioned

Referred to the Lower House and sent by Samuel Chamberlaine Esq:^r

Read the Petition of the Vestry and Church Wardens of All Faiths Parish in St Marys County Praying that the Tobacco which has been Collected and paid to the Sheriff of the said County for that part of the said Parish which is now Extraparochial may be taken out of the hands of the Sheriff and paid to the Petitioners The Petition of the Freeholders and Freemen of all S:^{ts} Parish in Frederick County Praying a Division of the said Parish after the death of the present Incumbent [see Appendix, pages 669-73]. The Petition of James Douglass of Cæcil County Praying a Bill to Cutt off the Entail of Vulcans Rest The Petition of Sundry the Inhabitants of Charles County Praying a Law may be made to oblige their Creditors to take Bond with a Moderate Interest for the Payment of their Debts. The af.^d Petitions are Rejected

U. H. J.
Liber No. 35
March 11

Adjourned till three of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Friday Morning March 12:th 1756

March 12

This House met again According to Adjournment

Present as Yesterday except Col^o Hammond

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower House by Mess:^{rs} Chapline & Beall Entituled an Act for the Adjournment and Continuance of Frederick County Court thus Subscribed

12:th March 1756

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl: Lo: Ho

Read and Assented to by this House and Ordered to be so Subscribed the Paper Bill so Endorsed is sent by Col:^o Tasker

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
March 13

Saturday Morning 13th March 1756

This House met again according to Adjournment

Present as Yesterday except M^r Thomas

Samuel Chamberlaine and Benedict Calvert Esq:^{rs} are sent to the Lower house to acquaint the Speaker that His Excellency Requires his immediate Attendance with the Lower House in the Upper House to see the Law Receive the Assent

The Lower House attend and by their Speaker Present to his Excellency the following Bill

An Act for the Adjournment and Continuance of Frederick County Court

Which his Excellency Passed into a Law in the usual form by Sealing it with the Right Hon:^{ble} The Lord Proprietary his Great Seal at Arms and Subscribing the same on behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law

p. 61 Read the Petition of Sundry the Inhabitants of Cæcil County and of Lancaster County in Pennsylvania Praying a Bill may be brought in granting them a Priviledge to clear a Road from Elihu Halls Mill down Octorara to the Mouth thereof and so down Susquehanna River along the Bottom to the Top of the hill Rejected

Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning ten of the Clock

March 15

Monday Morning 15th March 1756

This House met again according to Adjournment

Present

Benjamin Tasker Samuel Chamberlaine

Col:^o Tasker and Benedict Calvert Esq:^{rs}

Adojurned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning and Richard Lee Esq:^r

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 16th March 1756

This House met again according to Adjournment

U. H. J.
Liber No. 35
March 16

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 17th March 1756

March 17

This House met again according to Adjournment

Present as Yesterday and Col^o Hammond

Adjourned till three of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock.

Thursday Morning 18th March 1756

March 18

This House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 19th March 1756

March 19

The House met again according to Adjournment

Present as Yesterday except Col^o Hammond

Mess:^{rs} Henry and Scarborough from the Lower House attend
with M^r Benjamin Handy Member Elected for Worcester County
in the Room of M.^r John Dennis Jun^r made Sheriff of said County p. 62

U. H. J. to see him Qualified who take the Several Oaths to the Government
 Liber No. 35 appointed to be taken by Act of Assembly Repeats and Subscribes
 March 19 the Abjuration and the Test and then withdraw

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

March 20

Saturday Morning 20th March 1756

This House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess:^{rs} Casson and Baker
 Entituled an Act for the Adjournment and Continuance of Queen
 Anns County Court thus Endorsed

By the Lower House of Assembly 20th March 1756

Read the first and Second time by Especial Order and will Pass

Signed p Order M Macnemara Cl: Lo: Ho

Adjourned till Monday Morning ten of the Clock

March 22

Monday Morning 22.^d March 1756

This House met again according to Adjournment

Present

The { Benjamin Tasker Col:^o Hammond Samuel Chamberlaine
 Hon^{ble} } Col.^o Tasker Rich:^d Lee and Benedict Calvert Esq^{rs}

Read the first and second time by Especial Order the Bill Entituled
 an Act for the Adjournment and Continuance of Queen Anns
 County Court Passed and sent to the Lower House by Richard
 Lee Esq.^r

The Engrossed Bill as above is brought from the Lower house
 by Mess:^{rs} Casson and Handy thus Subscribed 22.^d March 1756

Read and assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl: Lo: Ho.

Read and Assented to by this House and Ordered to be so Subscribed

U. H. J.
Liber No. 35
March 22

The Paper Bill so Endorsed is sent to the Lower House by Benedict Calvert Esq^r

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Samuel Chamberlaine Esq^r and Col.^o Benjamin Tasker are sent to the Lower House to acquaint the Speaker that his Excellency requires his immediate attendance with the Lower house in the Upper House to see the Bill receive the Assent

The Lower House attend and present the following Bill to his Excellency by their Speaker p. 63

An Act for the Adjournment and Continuance of Queen Anns County Court

Which his Excellency Passed into a Law in the Usual form by Sealing it with the Right Hon^{ble} the Lord Proprietary his great Seal at Arms and Subscribing the same on Behalf of the Right Hon^{ble} the Lord Proprietary of this Province I will this be a Law

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 23.^d March 1756

March 23

This House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 24th March 1756

March 24

This House met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the afternoon

U. H. J.
Liber No. 35
March 24

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the Petition of Sundry the Inhabitants of Cæcil County Praying a Bill may be brought in to aid the Proceedings of the said Court occasioned by the non attendance of the said Justices on friday 12th Instant whereby the said Court fell and the Causes then depending were discontinued

Referred to the Consideration of the Lower house sent to the Lower house by Samuel Chamberlaine Esq.^r

Adjourned till to Morrow Morning ten of the Clock

March 25

Thursday Morning 25th March 1756

This House met again according to Adjournment

Present as Yesterday

Read the Petition of Sundry the Inhabitants of Cæcil County Praying a Bill may be brought in for fixing the Court House at Charlestown & building the Publick Prison in said Town Referred to the Consideration of the Lower house and sent to the Lower House by Benedict Calvert Esq.^r

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning & Col:^o Goldsborough

Adjourned till to Morrow Morning ten of the Clock

March 26

Friday Morning 26.th March 1756

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by Mess:^{rs} Gassaway and Reeder
p. 64 Entituled an Act to Impower and Direct the Clerk of Ann Arundel County to Record amongst the said County Records a Deed of Bargain and Sale from Thomas Larkin deceased to John Jordan deceased, thus Endorsed

By the Lower house of Assembly 26th March 1756

Read the first and second time by an Especial Order and will pass

Signed p Order M Macnemara Cl: Lo: ho

Read the first time in this house and Ordered to lye on the Table

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

U. H. J.
Liber No. 35
March 26

Present as in the Morning

A Bill from the Lower house by Mess:^{rs} Earle and Baker Entituled an Act for the Continuance of Process in Cæcil County March Court and to Cure some defect that may have hapened in the Proceedings of the Several County Courts of this Province and for the Explaining an Act of Assembly Entituled an Act appointing Certain days on which the Several and respective County Courts within this Province are to be held thus Endorsed

By the Lower House of Assembly 26th March 1756

Read the first and second time by an Especial Order and will pass

Signed p Order M Macnemara Cl: Lo: ho:

Read the first time in this house and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 27th March 1756

March 27

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess:^{rs} Smallwood and Mills Entituled an Act to Vest certain Entailed Lands therein mentioned in the Female heirs of Leonard Holyday Gent: in fee Simple thus Endorsed

By the Lower House of Assembly 26th March 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl. Lo: Ho:

By the Lower House of Assembly 27th March 1756

Read the Second time and will pass

Signed p Order M Macnemara Cl: Lo: Ho.

Read the first time in this house and Ordered to lye on the Table

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bills following An Act to impower and Direct the Clerk of Ann Arundel County to Record the Deed of Bargain and Sale from Thomas Larkin deceased to John Jordan deceased, An Act for the Continuance of Process in Cæcil County

U. H. J. March Court and to cure some defects that may have happened in
 Liber No. 35 the Several County Courts of this Province and for the Explaining
 March 27 an Act of Assembly Entituled an Act appointing certain days on
 p. 65 which the several and Respective County Courts within this Prov-
 ince are to be held, An Act to invest certain intailed Lands therein
 mentioned in the female heirs of Leonard Holyday Gent. in fee
 Simple Passed and sent to the Lower house by Col:^o Goldsborough
 Adjourned till Monday Morning ten of the Clock

March 29 Monday Morning 29th March 1756

This House met again according to Adjournment

Present

The Hon^{ble} { Benjamin Tasker, Samuel Chamberlaine Esq^{rs}
 Col^o Benj:^a Tasker Richard Lee
 Benedict Calvert Esq:^{rs} & Col:^o Goldsborough

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

March 30 Tuesday Morning 30th March 1756

This House met again according to Adjournment

Present as Yesterday

Adjourned 'till three of the Clock in the afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned 'till to Morrow Morning ten of the Clock

March 31 Wednesday Morning 31st March 1756

This House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

U. H. J.
Liber No. 35
March 31

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 1st April 1756

April 1

This House met again according to Adjournment

Present as Yesterday

Two Engrossed Bills from the Lower House by Mess :^{rs} Mackall & Reynolds Viz.^t An Act for the Continuance of Process in Cæcil County March Court and to cure some defect that may have happened in the Several County Courts of this Province and for the Explaining an Act of Assembly Entituled an Act for appointing certain days on which the several and respective County Courts within this Province are to be held and an Act to Vest certain Entailed Lands in the female heirs of Leonard Holliday Gent. in fee Simple Both thus Subscribed

April 1st 1756

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl. Lo. Ho

Read and Assented to by this House and Ordered to be so Sub- p. 66
scribed

The Paper Bills so Endorsed are sent to the Lower house by Benedict Calvert Esq.^r

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again accordnig to Adjournment

Present as in the morning and Col^o Hammond

A Message from the Lower house of Assembly by Mess :^{rs} Edge and Earle

By the Lower house of Assembly 1st April 1756

May it Please your Honours

We are now preparing an Ordinance for an immediate Supply of a Sum of Two hundred and fifty pounds Current money to be paid by the Commissioners of the Loan Office to his Excellency the Governor for the further Protection of the Frontier Inhabitants with which we hope your Honours Concurrence and we will take proper Measures in our Bill for replacing the said Sum

Signed p Order M Macnemara Cl: Lo: Ho

U. H. J. The following Message being Prepared is sent to the Lower House
Liber No. 35 by Col.^o Hammond
April 1

By the Upper House of Assembly 1st April 1756

Gentlemen

In Answer to your Message of this day by Mess:^{rs} Edge and Earle this House is willing that an Ordinance of both houses be made for the payment of Two hundred and fifty pounds Currency by the Commissioners of the Loan Office to his Excellency the Governor for the further Protection of Our Frontier Inhabitants

Signed p Order John Ross Cl: Up: Ho

The following Ordinance from the Lower House by Mess:^{rs} Bordley and Edge

For the further defence and Protection of the Frontier Inhabitants of this Province from the Cruelties and depredations of the Indians It is Ordained by his Excellency the Governor and the Upper and Lower Houses of Assembly that the Commissioners or Trustees for Emitting the Bills of Credit Established by Act of Assembly shall pay to his Excellency the Governor or his Order the sum of Two hundred and fifty pounds Current money out of the Public monies now in their hands to be by him laid out and disposed of as well for the Payment of the sum of Ten pounds Current money to any of the Inhabitants of this Province or friend Indian who have killed or shall kill and Scalp or take alive any Indian Enemy as for the further Securing and defending the said Frontier Inhabitants in such manner as to him shall seem expedient and that the said Commissioners or Trustees Charge such payment in a Particular and Distinct Account to be kept by them for that purpose

Horatio Sharpe

1st April 1756

Read and Assented to by the Lower House of Assembly

Signed p Order Henry Hooper Speaker

1st April 1756

Read and Assented to by the Upper house of Assembly

Signed p Order Benj:^a Tasker President

Adjourned till to Morrow Morning ten of the Clock

April 2

Friday Morning 2:^d April 1756

p. 67

This House met again according to Adjournment

Present as Yesterday except Col:^o Hammond

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
April 2

Saturday Morning 3^d April 1756

April 3

This House met again according to Adjournment

Present as Yesterday and Col:^o Hammond

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning ten of the Clock

Monday Morning 5th April 1756

April 5

This House met again according to Adjournment

Present

The	{	Benjamin Tasker Esq ^r	{	Col: ^o Tasker Benedict Calvert Esq ^r and Col: ^o Goldsborough
Hon ^{ble}		Samuel Chamberlaine		
		Esq ^r		

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 6th April 1756

April 6

This house met again according to adjournment

Present as Yesterday and Col^o Hammond

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This house met again according to adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
April 7

Wednesday Morning 7th April 1756

This House met again according to Adjournment

Present as Yesterday & Richard Lee Esq.^r except Col:^o Hammond

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the morning

Adjourned till to Morrow Morning ten of the Clock

April 8 Thursday Morning 8th April 1756

This House met again according to Adjournment

Present as Yesterday

p. 68 Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by M.^r Hammond and fourteen others Entituled an Act for Granting a Supply of Forty thousand pounds for his Majesty's Service and for Stricking Thirty four thousand and fifteen pounds six Shillings thereof in Bills of Credit and raising a fund for Sinking the same Thus Endorsed

By the Lower house of Assembly 27th March 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower house of Assembly 8th April 1756

Read the Second time and will pass

Signed p Order M Macnemara Cl: Lo: Ho.

Read the Petition of Several Inhabitants of Cæcil County Praying that the Court house of the said County may be continued at the place it now Stands or if it is thought necessary to be removed that it may be fixed at the head of Elk River in the said County Referred to the Consideration of the Lower house of Assembly and sent by Richard Lee Esq.^r

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 9th April 1756

U. H. J.
Liber No. 35
April 9

This house met again according to adjournment

Present as Yesterday and Col.^o Hammond

Read the Petition of Rachel Sprigg widow and Executrix of Osborn Sprigg of Prince Georges County deceased Praying a Bill may be passed to Enable her to sell the Lands according to the Statute made in the fifth year of the present King devised by her said husband for the payment of his debts, Rejected

Read the Petition of Several Roman Catholicks in Behalf of themselves and others of the same Communion Praying that not any Bill may be Brought in whereby their Lands may be doubly Taxed and Ordered to lye on the Table

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 10th April 1756

April 10

This House met again according to Adjournment

p. 69

Present as Yesterday

Read the Petition of Joseph Landree and others in Behalf of themselves and families part of the Neutral French brought into this Province by Order of Governour Lawrence living at Oxford in Talbot County Praying Relief Referred to the Consideration of the Lower house of Assembly and sent by Col.^o Tasker

Adjourned till Monday Morning ten of the Clock

Monday Morning 12th April 1756

April 12

This House met again according to Adjournment

Present

The Hon ^{ble}	{	Benjamin Tasker Esq ^r	{	Col. ^o Tasker
		Col. ^o Hammond		Richard Lee Esq. ^r
		Samuel Chamberlaine Esq ^r		Benedict Calvert Esq ^r and Col. ^o Goldsborough

Adjourned till three of the Clock in the afternoon

U. H. J.
Liber No. 35
April 12

Eodem Die Post Meridiem

This house met again according to adjournment

Present as in the Morning and Philip Thomas Esq^r
Adjourned till to Morrow Morning ten of the Clock

April 13

Tuesday Morning 13th April 1756

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess:^{rs} Henry and Handy Entituled an Act empowering the Justices of Somerset County to Levy not exceeding Twenty thousand pounds of Tobacco upon the Taxable Inhabitants of the said County for the use therein mentioned thus Endorsed

By the Lower House of Assembly 12.th April 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower House of Assembly 13.th April 1756

Read the second time and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this House and Ordered to lye on the Table

A Bill from the Lower house by Mess:^{rs} Scarborough and Evans Entituled a Supplementary Act to the Act entituled an Act empowering the Justices of Worcester County to Levy on the Taxable Inhabitants of Allhallows Parish a sum of Tobacco and for other Purposes therein mentioned thus Endorsed

By the Lower House of Assembly 12.th April 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower House of Assembly 13th April 1756

p. 70 Read the Second time and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this house and Ordered to lye on the Table
Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess:^{rs} Stoddart and Jordan from the Lower house attend with
M.^r Daniel of S.^t Thomas Jenifer a Member Elected for Charles

County in the Room of M.^r Moore who has Removed himself and family from this Province in Order to see him Qualified who takes the Several Oaths to the Government appointed to be taken by Act of Assembly Repeats and Subscribes the Abjuration and the Test and then withdraw

U. H. J.
Liber No. 35
April 13

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 14th April 1756

April 14

This house met again according to Adjournment

Present as Yesterday

An Engrossed Bill from the Lower house by Mess.^{rs} Gassaway and Earle Entituled an Act to impower and direct the Clerk of Ann Arundel County Court to Record among the said County Records a Deed of Bargain and Sale from Thomas Larkin deceased to John Jordan deceased thus Subscribed 10th April 1756

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl: Lo: ho.

Read and Assented to by this house and Ordered to be so Subscribed

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 15th April 1756

April 15

The House met again according to Adjournment

Present as Yesterday except Col:^o Hammond

Read the Petition of Sundry the Inhabitants of Frederick County Praying the Interposition of the Assembly in their Behalf by granting a Sum of money for the defence of the Frontiers Referred to the Consideration of the Lower house and sent by Samuel Chamberlaine Esq:^r

The following Message is sent to the Lower house by Benedict Calvert Esq:^r

By the upper house of Assembly 15th April 1756

Gentlemen

We have Considered the Bill you have sent up to us for Granting a Supply of Forty Thousand pounds for his Majestys Service and for Striking thirty four Thousand and fifteen pounds six Shillings

p. 71

U. H. J. thereof in Bills of Credit and Raising a fund for Sinking the same
Liber No. 35 and have Several Material Objections to the Passing of it in its
April 15 present form, Conceiving that was it to pass into a Law as it now is
it could not be well carried into Execution so as to have the Effects
Proposed by it and therefore think proper to take Notice of and
Particularize some of those Objections that you may if you think
proper have an opportunity of removing them, that the Distresses
of Our Inhabitants to the westward may be thereby in some degree
removed and Our Country in General be put into some Condition of
Defence against the Invasion of a Foreign Enemy We are Sincerely
desireous of doing every thing in our power for the Safety and
Preservation of the People of this Province and his Majestys domin-
ions in General and shall be Ready to concur with you in any proper
measures to obtain an act more perfect and Adequate to the Service
intended and therefore shall make the following Observations and
leave them to your Consideration hoping that you will on your part en-
deavour to obviate and remove all Just objections that may be made to
a Bill of such great Importance We then propose that instead of Per-
emptorily directing that the fort & Block houses shall be Built on the
Eastermost side of the North Mountain it shall be left to the Governor
to Direct that they shall be Built and Constructed at such place
or places as he shall think most proper for the Defence and Security
of this Province that as the Bill does not oblige either of the Agents to
attend the Troops as Commissary of Stores or of the Musters which
is absolutely necessary we conceive a Clause should be inserted to
oblige one of them or some other person Properly Qualified to attend
the Troops to receive Examine and Deliver out Provisions and also
to take and return proper Muster Rolls and that to assist him in the
performance of such duty the said Commissary should be allowed a
Clerk or Deputy That as no pay Master is appointed by the Bill one
of the Agents or some other proper Person should be appointed to
that office that in stead of positively directing that all the Troops
which may be raised by Virtue of this Bill shall be disbanded at all
Events on the 25th of December next we apprehend it should be
left to the Governor or Commander in Chief of those Troops to keep
them on foot longer if he shall Judge proper and the Situation of
affairs shall require it and that if his Excellency or Commander in
Chief shall find it expedient for the Security of the Province or the
more effectual annoyance of the Enemy that those Troops should be
continued longer in the Service that then the drafted men out of the
p. 72 militia only shall be disbanded and discharged after the like Number
of men shall be drafted out of the Militia in each County and sent to
the fort in such manner as is before mentioned in Order to make up
the Number so discharged and disbanded but to disband the Forces

at all Events and not to keep them in the Service upon any Pretence whatsoever after the 25th day of Decem.^r next as the Bill proposes we apprehend might be of the most dangerous Consequence to that Safety and Security of the Province that this Bill intends to preserve and might render every thing done in Consequence of the powers and authorities given in it absolutely ineffectual to the End proposed. That the pay of the Officers we think should be regulated as near as may be to that of the Neighbouring Colonies to prevent disputes and uneasinesses among them and therefore the Captains Pay should be 12/6 ^p day the Lieutenants 6/ Ensigns 4/8 Sergeants 1/6 Corporals and Drummers 1/ each and each Private Soldier 8^d ^p day and that every Company should consist of a Captain Lieutenant Ensign 3 Sergeants 3 Corporals 2 Drummers and 50 Private men only it having been found by Experience as we are informed that in so Woody a Country such a Number of men cannot be duly Commanded and kept to their duty by a Less Number of Officers That in the Fort we think there should be a Fort Adjutant Gunner and Gunsmith the first to be allowed Lieutenants Pay and the Gunner and Gunsmith 2/6 ^p Day each That we think a Surgeon who shall be Employed in the Service ought to be a man of Skill and abilities in his Business and therefore as his Medicine Chest Instruments and Equipage will as we are Informed cost him forty pounds Sterling it is not Reasonable to give him less than that sum besides Ten Shil^s ^p day and a Mate to attend and assist him Whereas by this Bill he is only allowed 6/ ^p day and is to find his own Medecines and Instruments That a Clause should be Inserted to Punish Mutiny and desertion in the Soldiers and inflicting a Severe Penalty on such Persons as shall Entertain Deserters. That the Clause in the Bill directing the Election of the Colectors of Excise by the Rector Vestry and Church Wardens in each County we Conceive is an infringement upon the Right of the Government to appoint Officers and therefore we cannot agree to it That the Tax upon wine and Spirits now in Cellars Vaults &c.^a for Private Consumption we apprehend is an unprecedented unheard of Tax and of Dangerous Tendency under a British Constitution and therefore will not consent to it. We think that the Exciseman as his Trust is great and may be under the Temptation of Committing many abuses of the Powers given him by the Bill should give a Security in the sum of Four hundred pounds at least That as there is a perpetual Law against bringing into this Province from Pennsylvania or the Teritories thereto belonging or from any other Province or Colonie in this Continent any horses Mares Colts or Fillys under the Penalty of Forfeiting the same we think it will be Necessary to add a Clause to that part of the Bill laying a Duty on horses Brought into this Province for Sale Repealing that part of that perpetual Law Relating to the bringing in horses for Sale.

U. H. J.
Liber No. 35
April 15

U. H. J. That the Clauses obliging the Rent Roll Keepers to make out and
Liber No. 35 deliver Copies of his Lordships Rent Rolls and Directing his Lord-
April 15 ships Receivers of the Quit Rents to Collect the Land Tax we think
should be drawn Requiring the favour of His Lordship to permit
such his private Officers to execute these parts of the Bill and not
positively obliging them to do what in the Nature of their Respective
p. 73 Offices they ought not to do without his Lordships Consent and
Approbation. That in Order to encourage Persons to Enlist in the
Service we think it Necessary that a Clause should be inserted in the
Bill that all Persons that shall be Enlisted under the Act to bear
Arms during the Space of Six Months in defence of the Country
shall be excused from the payment of any Tax by this Bill imposed
as well as all Parochial and County Charges for the Term of One
year from the time of such Enlisting or taking up Arms as af.^d
That upon the Rent Roll Keeper and Receiver of the Land Tax
differing on the Settlement of their Accounts we think it will be more
Equitable and Just That such Settlement shall be made with the
Receiver by the Commissioners of the Paper Office as indifferent
Persons than to Conclude the Receiver by the Return of the Rent
Roll keeper That to that Clause obliging the Agent or His Lordships
Receiver General to give an amount of the Exact Quantity of Acres
of Land Contained within His Lordship's Manors and Reserves and
to pay the Tax thereon we think should be added a Clause to make
him a Reasonable Satisfaction for performing the same as it is
impossible for him to Comply with that part of the Bill without
Surveying and laying out many if not all of the said Manors and
Reserves and in many instances Lands Contiguous thereto to Enable
him to ascertain the exact Quantity of Acres. That in the Clause
containing the Act of Assembly Entituled an Act for His Majestys
Service made at a Session of Assembly begun and held at the City
of Annapolis the seventeenth day of July One thousand seven hun-
dred and fifty four relating to the several duties therein mentioned
and also the Several parts of the Acts of Assembly therein mentioned
to be continued after the Purposes in the same Act and the Acts
therein mentioned are fully Answered untill the sum of Forty
Thousand pounds by this Bill proposed to be raised shall be by the
ways and means in this Bill directed be repaid and replaced in the
Office we apprehend the duty on Convicts should be Excepted the
same being as we are advised Contrary to and Repugnant to the
Law of England and therefore cannot be assented to by the Lord
Proprietary as being Contrary to the Charter of the Province. That
the new Emmission of Paper money must be sunk within five years
in Obedience to his Majestys Instructions and as the ways and means
in this Bill for raising a fund for the Repaying and Replacing the
same money within that time are uncertain such Provision must be
made as will undoubtedly bring in the whole sum of that money in

that time in Case of a deficiency. Those Gentlemen are the observations we think necessary to make upon this Bill at present and shall be pleased you will give as your Result thereon as soon as you can

U. H. J.
Liber No. 35
April 15

[Signed p order J Ross Cl Up Ho]

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 16th April 1756

April 16

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by Mess^{rs} Dennis and Reynolds p. 74
Entituled an Act for preventing the Evils occasioned by Masters of Ships Sloops or other Vessels their Officers Skippers and Sailors dealing with or Entertaining Servants or Slaves thus Endorsed

By the Lower house of Assembly 14th April 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower House of Assembly 15th April 1756

Read the second time by an Especial Order and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this house and Ordered to lye on the Table

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Message from the Lower house by Mess^{rs} Tilghman and Bracco

By the Lower house of Assembly 16th April 1756

May it Please your Honours

We are too deeply Sensible of the distresses of our Frontier Inhabitants and the dangers which threaten his Majestys American dominions in General and too much concerned at the heavy Publick debt which daily Increases by our Siting here to Spend our Time in a Method of Proceeding we conceive beneath the dignity and

U. H. J. inconsistent with the Candour that ought to be preserved between
 Liber No. 35 the Branches of the Legislature Therefore in Answer to your Im-
 April 16 parliametary Message of Yesterday wherein you say you have
 mentioned some of the Material Objections you have to the Bill for
 Granting a Supply of Forty Thousand pounds for His Majestys
 Service and for Striking Thirty four Thousand and fifteen pounds
 six Shillings thereof in Bills of Credit and raising a fund for Sinking
 the same sent up to your Honours for Concurrence on the 8th day
 of this Instant and that they are the observations you think neces-
 sary to make on that Bill at present We shall Just observe that when
 your Honours shall have taken Notice of and particularized all the
 Objections to and Observations upon that Bill which you may think
 necessary finally to make (and this we hope you will do as soon as you
 can) we shall then with the utmost dispatch do everything Consistent
 with out Rights and Priviledges to Remedy every defect that may
 have Escaped our Observation in the draft of a Bill so long and
 Complicated.

Signed p Order M Macnemara Cl: Lo: Ho

The following Answer is sent to the Lower house by Col:^o Tasker

By the Upper house of Assembly 16th April 1756

Gentlemen

In Answer to your Message sent us this day by Mess:^{rs} Tilghman
 and Bracco we must Observe that when you Speake of the daily
 Increase of the heavy Publick Debt by Our Siting here to Spend
 our time in a method of Proceeding which you conceive beneath the
 p. 75 dignity and inconsistent with the Candour which ought to be pre-
 served between the Branches of the Legislature we apprehend you
 cannot mean to throw any Reflections upon the Conduct of the house
 since over seven Weeks of this Session were expired before your
 Bill for raising a Supply for His Majestys Service (and for which
 purposes we were principally convened) was sent up to us and to
 which we sent you a Message Stating objections as soon as could
 well be considered how imparliamentary our Message may be must
 be Submitted to better Judges of those matters than either your
 house or ours but as we have proceeded in such mode as might
 condone to the more easy passage of the Bill we shall Rest Contented
 with having done in this Instance what we apprehend to be Right in
 Pointing out to you such objections as if not removed must be
 fatal to your Bill and therefore can only now say that as the
 Objections already made to the Bill are such as are reasonable and
 Just we do not look upon ourselves as obliged to give any other
 untill we know whether they will be removed or not. However to
 put matters upon such a footing between us as may prevent future
 Controversy and Shew that we are Ready and willing to do every
 thing in our power towards the Relief of those poor unhappy

people upon the Borders and for his Majestys Service in General we must observe to you that the Objections we have already made to your Bill were such as then occurred to us and as your Bill is long and Complicated as you yourselves say we think it was but consistent with common Prudence to express Ourselves as we then did that we might not be precluded from making any fruther Objections if we should Discover such as were Material to make upon a further consideration of the Bill and not with intent to Treat you in a manner inconsistent with the dignity of this house Therefore we desire you will give us some Answer to those Objections mentioned in that Message that matters may be brought to some conclusion between us

U. H. J.
Liber No. 35
April 16

[Signed p Order J. Ross Cl. Up Ho]

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 17th April 1756

April 17

This House met again according to Adjournment

Present as Yesterday

Read the Second time the Bill intituled an Act empowering the Justices of Somerset County to levy not exceeding Twenty Thousand pounds of Tobacco upon the Taxable Inhabitants of the said County for the use therein mentioned

Read the Second time a Bill Entituled a Supplementary Act empowering the Justices of Worcester County to levy on the Taxable Inhabitants of Allhallows Parish a sum of Tobacco and for other Purposes therein mentioned Passed and sent to the Lower house by Richard Lee Esq.^r

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Message from the Lower House by Mess.^{rs} Tilghman and Carroll

By the Lower House of Assembly 17th April 1756.

May it Please your Honours

p. 76

The Bill for Granting a Supply for His Majesty's Service and our Safety now under your Consideration 'tis true took us up a good deal of time and perhaps a Week spent in an imperfect consideration may not be thought inadequate to near seven in drawing and framing it we are glad to find that you apprehend we did not mean to throw

U. H. J.
Liber No. 35
April 17

any Reflection upon the Conduct of your Hon^{ble} house as misspending the time you took in Considering the Bill when we mentioned that our deep Sensibility of the distress of the Frontier Inhabitants the dangers Threatening His Majestys American dominions in General and our concern at the daily Increase of Our heavy Publick debt would not permit us to spend our Time (the time of this House) in a Method of Proceeding we conceived beneath the dignity and Inconsistent with the Candour that ought to be preserved between the branches of the Legislature and we are Confident every cool Reader must in this Particular agree with your Honours The method of Proceeding your Honours Propose and would feign draw us unto we ought to take no further notice of than to Repeat that it is imparliamentary and to Judges better than either of the houses (and to such we should gladly appeal) it must be Obvious, But lest others should be prejudiced against our Conduct by the Plausibility of yours in Proceeding as you say in such Mode as might Conduce to the more easy passage of Bill we shall Just take time to observe that should we upon your sending us some of the Several Material Objections you have to the Bill proceed Contrary to Established Rules to take into Consideration those objections and even Contrary to the undoubted Rights and Priviledges of this house concur with you in all of them what might reasonably be concluded would be the Consequence Why most clearly that according to the Temper you should discover in this House of Giving up Rights your demand would raise and after Spending a long time in considering new objections and for the Relief of the poor unhappy people on the Borders and for his Majestys Service in General giving up some of the Rights of the whole you would still proceed in Starting new Objections and we must go on in giving up Rights till you had now formed our Bill and what Shape it would appeare in when intirely agreeable to your Honours must remain in Conjuncture only We shall at an opportunity of Shewing in any Regular way of Proceeding on this Bill how much we have at heart his Majestys Service in General the Safety and welfare of this Province in Particular and more especially the Relief of Our poor distressed Inhabitants on the Western Frontier from the Horrible Effects of Savage Cruelty But in our Resolution not to proceed in an unheard of imparliamentary and endless Method of Obviating old and receiving new Objections we firmly persist And Hope after your Honours have taken up such time in Considering the Bill as to be able to make all your objections you will proceed in such Regular manner as may Conduce to an happy and Speedy Conclusion of this Important affair

Signed p Order M Macnemara Cl: Lo: Ho

Adjourned till Monday Morning ten of the Clock

Monday Morning 19th April 1756

This House met again according to Adjournment

U. H. J.
Liber No. 35
April 19

Present

The Hon ^{ble}	{	Benjamin Tasker Esq: ^r	{	Col: ^o Tasker
		Col ^o Hammond		Richard Lee Esq: ^r
		Samuel Chamberlaine Esq: ^r		Benedict Calvert Esq: ^r &
				Col ^o Goldsborough

Adjourned till three of the Clock in the afternoon

p. 77

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the Second time the Bill Entituled an Act for Granting a Supply of Forty thousand pounds for his Majestys Service and for Striking Thirty four thousand and fifteen pounds six Shillings thereof in Bills of Credit and raising a fund for Sinking the same and will not pass sent to the Lower house with the following message by Col:^o Hammond.

By the Upper Hosue of Assembly 19:th April 1756.

Gentlemen

As the Bill for His Majestys Service must be acknowledged to be of great Importance in the Common Cause against our Enemies and to this Province in particular We are much concerned that the method we have taken to Communicate our Sentiments to you thereon should not be agreeable to you and more so when we are Suspected of being Capable of Endeavouring to draw you into Measures Contrary to the Established Rules of your House and destructive of the Rights Liberties and Priviledges of it by continuing to Start new Objections and raising in our demands on you as we find you give way to the removal of those already made untill we had new formed your Bill a Suspicion so unworthy that as we are Conscious of the Injustice of it so we think it not deserving of any further Notice and therefore Gentlemen as we have neither Leasure nor Inclination to Enter into Controversies with you which can produce no good Effect towards the End of our being called here and having made what Objections we have to your Bill and such as we apprehend must clearly obviate the imperfections of it it many parts to which you seem Determined to give us no Answer because we have not been so fortunate as to make use of the word all we conceive nothing remains for us to do now but to be quite Regular and Parliamentary in our proceedings and to Return your Bill with a Negative taking it for Granted that our objections made to it and not removed or attempted in any Sort to be removed will

U. H. J. well Justify our Conduct and Clearly evince to all impartial and
 Liber No. 35 indiferent Persons how fruitlessly we have done our Endeavours
 April 19 for the Relief of those distressed People on the Western Frontiers
 from Savage Barbarities for the Protection of the of the Province
 from the Invasions of a Foreign Enemy and towards the Support of
 His Majestys undoubted Rights on this Continent

Signed p Order John Ross Cl. up. Ho

Read the Second time the Bill Entituled an Act for preventing the
 Evils occasioned by Masters of Ships Sloops or other Vessels their
 Officers Skippers and Sailors dealing with or Entertaining Servants
 or Slaves and will pass with the following Amendment the fines
 and forfeitures mentioned therein to be the one half to the Right
 Honourable the Lord Proprietary his heirs and Successors for sup-
 port of Government the other half to the Informer or him her or
 them that will sue for the same and sent to the Lower house by
 Richard Lee Esq^r

p. 78 Two Engrossed Bills from the Lower house by Mess:^{rs} Wagga-
 man and Handy one Entituled a Supplementary Act to the Act
 Impowering the Justices of Worcester County to levy on the Taxable
 Inhabitants of All Hallows Parish a sum of Tobacco and for other
 Purposes therein mentioned the othe An Act Impowering the Jus-
 tices of Somerset County to Levy Twenty thousand pounds of
 Tobacco upon the Taxable Inhabitants of the said County for the
 use therein mentioned thus Subscribed

19th April 1756

Read and assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl: Lo: Ho

Read and Assented to by this House and Ordered to be so Sub-
 scribed

Adjourned till to Morrow Morning ten of the Clock

April 20

Tuesday Morning 20th April 1756

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 21st April 1756

U. H. J.
Liber No. 35
April 21

This House met again according to Adjournment

Present as Yesterday

The Journal of Accounts from the Lower house by Mess^{rs} Stoddart Edge and Hawkins thus Subscribed

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo: Ho

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 22^d April 1756

April 22

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess^{rs} Edmondson and Traverse Entituled a further Additional Supplementary Act to an Act Entitled an Act for Amending the Staple of Tobacco for Preventing frauds in his Majestys Customs and for the Limitation of Officers fees thus Endorsed

By the Lower house of Assembly 8th April 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

Read the second time and will Pass

p. 79

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this house and Ordered to lye on the Table

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the first time the Bill prepared in this house Entituled an Act to Prevent the Growth of Popery in this Province and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
April 23

Friday Morning 23^d April 1756

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by M.^r Hammond and others
Entituled an Act for Granting a Supply of Forty Thousand pounds
for his Majestys Service and for Striking Thirty four Thousand
and fifteen pounds six shillings thereof in Bills of Credit and raising
a fund for Sinking the same thus Endorsed

By the Lower House of Assembly 21st April 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo: Ho:

By the Lower House of Assembly 23^d April 1756

Read the Second time and will pass

Signed p Order M Macnemara Cl: Lo: Ho

And the following Message

By the Lower House of Assembly April 23.^d 1756

May it Please your Honours

We are not less concerned than your Honours that your Sentiments on a Bill of such importance as that sent up by us for his Majestys Service in General and our Security in Particular should be communicated to us in a Method not only disagreeable to us but such as must be disagreeable to this house as long as either Established Rules or Reason exists

The Suspicion of Your being Capable of Endeavouring to draw us into measures Contrary to the Established Rules and destructive to the Rights and Priviledges of our house so naturally arising from the method of Proceeding proposed in your Messages tho we would willingly forget we are afraid must appear to be too well grounded to every Judicious Reader

We are Extremely sorry to find your Honours after saying you have neither Leasure nor Inclination to enter into Controversies with us immediately Proceeding to Justify your own and Blame our Conduct in the dispute between us a Behaviour which can tend to nothing but to promote Controversy

Our determination not to give you any Answer to what objections
p. 80 you mentioned against our Bill did not proceed as you are pleased to say from your Honours not having been so fortunate as to make use of the word all but very Justly from your having been so fortunate or whatever you'll please to term it is to make use of the word some

If your Honours had at first or afterwards when we desired it said as you did in your last Message that you had made what

U. H. J.
Liber No. 35
April 23

Objections you had to our Bill we should have immediately Considered them and we are perswaded should have found means to have obviated such as we thought unreasonable and we cannot see why you might not as well have kept the Bill till you had known our Result upon that Message as to have sent it then down with a Negative Nor do we apprehend tho you take it for Granted because we had refused to Answer your objections when you told us you had taken Notice of and Particularized only some of them that those objections not being Removed will Justify your Conduct when by sending down the Bill with your Negative with the only Message whereby we could understand you had no more objections to make to it you precluded us from falling upon any Regular method of Proceeding which might have brought about the desired Event as to that Bill

But as we are still Earnestly Desirous to relieve the unhappy People on our Frontier from their Distresses and to prevent if possible the desolation of that part of our Country as well as to demonstrate our willingness to do every thing in our power towards the Support of his Majestys undoubted Rights to this Continent we herewith send your Honours another Bill well Calculated for those important Purposes which we doubt not will meet with your ready Concurrence

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this House and Ordered to lye on the Table

Read the Second time the Bill Entituled an Act to prevent the Growth of Popery within this Province passed and sent to the Lower house by Col^o Hammond

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning & Philip Thomas Esq^r

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 24th April 1756

April 24

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by Mess:^{rs} Stoddart and Hynson Entituled an Act for Quieting the differences that have arisen and may hereafter arise between the Inhabitants of this Province and

U. H. J. the Several Indian Nations and for Punishing Trespasses Committed
 Liber No. 35 on their Lands thus Endorsed
 April 24

By the Lower House of Assembly 22:^d April 1756

Read the first time and ordered to lye on the Table

Signed ꝑ Order M Macnemara Cl: Lo: Ho

By the Lower House of Assembly 24th April 1756

Read the Second time and will pass

Signed ꝑ Order M Macnemara Cl. Lo: Ho:

p. 81 Read the first time in this house and Ordered to lye on the Table

Read the Second time the Bill Entituled a farther Additional
 Supplementary Act to an Act Entituled an Act for amending the
 Staple of Tobacco &c^a and will not pass sent to the Lower house by
 Samuel Chamberlaine Esq^r

Read the Second time the Bill Entituled an Act for Granting a
 Supply of Forty thousand pounds for his Majestys Service and
 Striking Thirty four thousand and fifteen pounds six Shillings
 thereof in Bills of Credit and raising a fund for Sinking the same
 and will not pass Sent to the Lower house with the following Message
 by Benedict Calvert Esq.^r

By the Upper House of Assembly 24:th April 1756

Gentlemen

By your Message of Yesterday it seems to us that there can be
 no further intercourse by Messages between the Two houses since
 you are now pleased to tell us in plain and express Terms that to
 Justify our own or to blame your Conduct can tend to nothing but
 to promote Controversy we shall not therefore take the Trouble to
 do either but herewith send you the Bill for forty Thousand pounds
 for his Majestys Service and striking thirty four Thousand and
 fifteen pounds six Shillings thereof in Bills of Credit and raising a
 fund for Sinking the same with a Negative in which altho there are
 some Alterations from the former there are few or no amendm^{ts}
 and the same objections for the most part that were made to that
 Bill still lye against this with another arising in this Bill from that
 Clause giving such extraordinary power to a Committee to Settle a
 Land Tax at their discretion and shall only add that as we have at
 least an Equal Right to Judge of as you to propose any Bills we
 have our Conduct to be Justified or blamed as it shall appear

Signed ꝑ Order John Ross Cl: up Ho

Adjourned till Monday Morning ten of the Clock

Monday Morning 26th April 1756

U. H. J.
Liber No. 35
April 26

This House met again according to Adjournment

Present

The Hon ^{ble}	{	Benjamin Tasker Esq: ^r	}	Col: ^o Tasker
		Col: ^o Hammond		Richard Lee Esq: ^r
		Samuel Chamberlaine Esq: ^r		Benedict Calvert Esq: ^r

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning and Philip Thomas Esq:^r except
Richard Lee Esq:^r

A Bill from the Lower house by Mess:^{rs} Stoddart and
Entituled an act continuig an Act Entituled an Act directing the
manner of Punishing Fornication and Adultery before a Single
Justice of the Peace thus Endorsed

By the Lower house of Assembly 24:th April 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower House of Assembly 26th April 1756

p. 82

Read the Second time and will Pass

Signed p Order M Macnemara Cl. Lo: Ho

Read the first time in this House and Ordered to lye on the Table
Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 27th April 1756

April 27

This House met again according to Adjournment

Present as Yesterday

Read the Second time the Bill Entituled an Act for Quieting the
differences that have arisen between the Inhabitants of this Province
and the Several Indian Nations and for Punishing Trespasses Com-
mitted on their Lands passed and Sent to the Lower House by
Benedict Calvert Esq:^r

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
April 28

Wednesday Morning 28th April 1756

This House met again according to Adjournment

Present as Yesterday and Col.^o Lloyd

Read the Second time the Bill Entituled an Act continuing an Act directing the manner of Punishing Fornication and Adultery before a Single Justice of the Peace Passed and sent to the Lower house by Sam:^l Chamberlaine Esq:^r

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Col.^o Henry and others Entituled an Act for Granting a Supply of Forty thousand pounds for his Majestys Service and Striking thirty four Thousand and fifteen pounds six Shillings thereof in Bills of Credit and raising a fund for Sinking the same thus Endorsed

By the Lower House of Assembly 28th April 1756

Read the first and Second time by an Especial Order and will Pass

Signed p Order M Macnemara Cl: Lo: Ho:

Read the first time in this House and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

April 29

Thursday Morning 29th April 1756

p. 83

This House met again according to Adjournment

Present as Yesterday

Read the Second time the Bill Entituled an Act for Granting a Supply of Forty thousand pounds for His Majestys Service and for Striking Thirty four thousand and fifteen pounds six Shillings thereof in Bills of Credit and raising a fund for Sinking the same and will not pass sent to the Lower House with the following Message by Col.^o Tasker

By the Upper House of Assembly 29th April 1756

Gentlemen

We are Extremely sorry to find that after our having refused two Bills for the Objections we then made to them you should send us a third so very little differing from them that we think ourselves obliged not to pass it. But in Order to Convince every unprejudiced mind and to demonstrate our Strong Inclination to do every thing in our power for the Service of our most Gracious King and the

U. H. J.
Liber No. 35
April 29

defence and preservation of the Western Frontiers of this Province at this time attacked and in such eminent danger from our Enemies the French and Barbarous Indians whose Inhuman Cruelties already practised on our fellow Subjects must Raise horror in every breast not utterly void of all Sentiments of Compassion; We declare to you that notwithstanding what has past between the Two houses on the Occasion of these Bills we are willing at this critical Juncture to wave all unnecessary formalities and punctilioes on the mode of our Proceedings and if you think that a free Conference on the Subject matter of the Bill may be any means to produce so desireable an End as we would hope is aimed at by us all or if you can propose any other more eligible method to remove the objections we have to the passing of this Bill we shall readily concur with you and endeavour to make such Amendments thereto as are necessary for the purposes intended by it

Signed p Order John Ross Cl: Up Ho

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

The Journal of Accounts is sent to the Lower House with the following Message by Samuel Chamberlaine Esq:.

By the Upper House of Assembly 29th April 1756

Gentlemen

Upon perusal of the Journal of Accounts sent up by M^r Stoddart and others we find you have Omitted making the following allowances

To the Governor the full allowance of his Account for Rent of the house he lives in 'tho the present Rent may be something more than usual you well know the Conveniences are more besides at the time he Arived here he could not have been otherwise Supplied you have denied to allow the Governor Twenty three Pistoles for Transcribing the Acts of Assembly now in force and Transmitting the same agreeable to his Majestys Order in Council The Journalls will make appear this Charge to be Trifling, when Compared with that allowed of heretofore to M^r Hart when Governor for the same Services. You have omitted to allow part of the Governors Account herewith sent for money he Actualy paid for Expresses and 'tho this may be said to be a New Charge yet as long as the present Situation of affairs are likely to Continue it will still remain a Just one. You have Omitted to allow 1350 pounds of Tobacco to the late Governor Ogle for the Seals of 15 Proclamations relating to His Lordships Assent to the Protection Law, There is no allowance made

p.84

U. H. J. to the Members of the Council for their attendance as a Council
 Liber No. 35 of State or to M^r Ross for his yearly Salary as Clerk of the Council
 April 29 in this we are the more Surprized as you cannot but know there are
 Several Laws in force which Requires many Services to be done by
 him as Clerk of the Council. We do not find any allowance made to
 the Militia the Governor Ordered out to the Assistance of our Back
 Inhabitants. We therefore send you the Journal in hopes you will
 make the Amendments proposed in such a Manner as it may pass

Signed p Order John Ross Cl: Up: Ho.

Adjourned till to Morrow Morning ten of the Clock

April 30

Friday Morning 30th April 1756

This House met again according to Adjournment

Present as Yesterday except Philip Thomas Esq^r & Col.^o Hammond

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Message from the Lower House by Mess:^{rs} Smallwood and
 Jenifer

By the Lower House of Assembly 30th April 1756

May it please your Honours

[This lengthy message is printed in full in the Lower House
 Journal, pages 399-402.]

p. 87 Adjourned till to Morrow Morning ten of the Clock

May 1

Saturday Morning 1st May 1756

This House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Two Engrossed Bills from the Lower house by Mess:^{rs} Stoddart
 and Williamson One Entituled an Act for Quieting the differences
 that have arisen or may hereafter arise Between the Inhabitants of

this Province and the Several Indian Nations and for punishing Trespasses committed on their Lands. the other An act continuing an Act Entituled an Act directing the manner of Punishing Fornication and Adultery before a Single Justice of the Peace out of Court thus Subscribed

U. H. J.
Liber No. 35
May 1

29th April 1756

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl: Lo: Ho

Read and Assented to by this house and ordered to be so Subscribed and the following Bill Entituled an Act for Issuing Writts of Replevin out of the County Courts of this Province thus Endorsed

By the Lower House of Assembly 1st May 1756

Read the first and Second time by an Especial Order and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this house and Ordered to lye on the Table

A Message from the Lower House with the Journal of Accounts by Mess:^{rs} Hawkins and Edge

By the Lower House of Assembly 1st May 1756

May it Please your Honours

[This lengthy message is printed in full in the Lower House Journal, pages 403-4.]

Adjourned 'till Monday Morning ten of the Clock

Monday Morning 3^d May 1756

May 3

The House met again according to Adjournment

Present

p. 89

The Hon ^{ble}	{	Benjamin Tasker Esq. ^r	}	Philip Thomas Esq. ^r
		Col: ^o Hammond		Col: Tasker
		Samuel Chamberlaine Esq. ^r		Benedict Calvert Esq. ^r

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

The following Message is sent to the Lower house by Col: Hammond

By the Upper House of Assembly 3^d May 1756

Gentlemen

We have Considered your Message of the 30.th of April wherein you tell us, that you think it necessary to enumerate all the Amend-

U. H. J. ments you have made in Consequence of your first Bill that it may
 Liber No. 35 appear what alterations and concessions you have made even con-
 May 3 trary to your own Just Rights. If your Intention herein was that
 those alterations may appear to us it was not necessary unless you
 could Imagine that we had not observed them If it was to make
 them appear to others we can't conceive how that could be fairly
 done without giving them an Opportunity of Comparing those
 alterations with the Bills thereby altered, which remain in your
 own hands But whatever might be your Intention in that enumera-
 tion of your amendments we do not think it necessary in a Message
 to take any further Notice of them or of the Embelishments bestowed
 on some of them, for reasons that you have given us in a former
 Message this Session Besides we are still of the Opinion that what-
 ever alterations it may seem that you have agreed to or whatever
 concessions it may seem that you have made yet our objection in the
 most essential points are not obviated or Sufficiently removed, Espe-
 cially that which relates to the Credit of and sinking the new Emission
 of the money in five years, and if you realy and indeed have made
 any Concessions contrary to your Just Rights we assure you we
 never desired any such or expected such a declaration from you,
 We only desire that Consistent with your Just Rights and our own,
 and for the General Good of the People such a Law may be obtained
 as may be for the Safety and defence of us all, For these reasons
 we made our objections to the Bills you sent us, in hopes they
 might have been removed you are now pleased to say, that you shall
 very Chearfully agree to a free Conference not on the Subject matter
 of a Bill sent down with a Negative but on the Subject matter of
 our objections to Several Bills, in order to bring about the passage
 of the Bill last sent up, This seems to us to be an extraordinary
 kind of Conference for realy Gentlemen we Confess, that we do
 not clearly understand your distinction. We apprehend that in order
 to bring about the passage of the Bill last sent up, the Subject matter
 of that Bill ought to be Considered rather than any objections that
 we may have made to any former Bill or Bills we are Nevertheless
 willing to Confer with you on the Subject matter of these objections
 also, But you go further and add "excepting however the Tax on
 Liquors Consumed by Persons not being retailers and the appoint-
 ment of the Sheriffs to be Collectors of the Excise as provided by
 the last Bill being points that we are determined not to depart from
 and therefore cannot agree to Conference upon" these preliminary
 points so possitively insisted on to be excepted out of the matters
 of the Conference we readily allow to be the most irregular expedi-
 ent that could be proposed to obtain any good issue from it, you
 are however carefull that your present Concessions shall not be drawn
 into precedent or anyways construed as derogatory to your Antient
 and undoubted Rights And we cannot but observe how willing you

seem to be to make a precedent against us drawn from our own Inspection Law which we think is nothing at all to the present Case, we hope then you will allow us to be Cautious, at least for the future, of making precedent derogatory to the Ancient and undoubted Rights of the Government.

U. H. J.
Liber No. 35
May 3

We would willingly avoid giving you any Just occasion of Offence, especially at this time but here we must take the Liberty of asking you a Question or two.

Will you be Contented with your undoubted Rights and that Share in the Legislature which by the Constitution of this Government you are intituled to, Or would you assume to yourselves, the sole power, not only of making Laws but the Execution of them too If nothing less than this last will Satisfy you we must tell you that it is a point which we are determined not to agree to give up to you and you could not reasonably expect that to obtain only a free Conference on the Subject in Question between the Two houses that we should agree to your previously excepting from the Conference any points of that Subject in which the undoubted Rights of the Government or Liberties of a free People may be involved and which ought to be carefully discussed before any determination Concerning them can properly be made therefore we earnestly Recommend these matters to your further Consideration in order if possible to bring about that desireable end, which if obtained can only make your Constituents any Amends for the Tedious length of this Session and the heavy charge and burthen it must bring upon them

However upon the whole matter and notwithstanding all your precautions, We having considered the dangerous Situation of affairs at this time and to demonstrate our readiness to use every endeavour in our power to obtain a good end of our deliberations do agree to a free Conference with you and have accordingly named Philip Thomas Esq^r and Col:^o Benjamin Tasker to Confer with such Members of your House as you shall appoint But at the same time we will be so free as to tell you, that whether you will Confer with us on these points excepted by you, or not, we will determine thereon as we shall think proper according to our undoubted Right

Signed p Order John Ross Cl: up: Ho

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 4.th May 1756

May 4

This House met again According to Adjournment

Present as Yesterday

p. 91

A Message from the Lower house by Mess:^{rs} Hammond and Murdock

U. H. J.
Liber No. 35
May 4

By the Lower House of Assembly May 4th 1756

May it Please your Honours

Had your Honours been desirous of giving us an Opportunity to make any amends to our Constituents for the heavy Charge this Session will bring upon them, by the tedious length your Conduct as to the three Bills for his Majestys Service and our Security sent up to you has had so great a Share in Spinning it out to; you would doubtless have given us a Short and explicit Answer to our last Message. However still further to demonstrate that nothing shall divert us from our wearied Endeavours to promote the Service of our King and Provide for the Security of our distressed Country we have appointed Philip Hammond Esq^r Col:^o Edward Tilghman M:^r Murdock M^r Mathew Tilghman and M:^r Carroll Members of this house to Confer immediately with the Gentlemen of your house named in your Message on the Terms we proposed in our last And this we are under a Necessity of repeating from the Ambiguity of yours

Signed p Order M Macnemara Cl: Lo: Ho

The following Message is sent to the Lower House by Col:^o Tasker

By the Upper house of Assembly May 4th 1756

Gentlemen

In Answer to your Message Just now sent us we hope we shall give you no Cause to Complain of the length of it by entering into useless altercations we think our last Message was Sufficiently clear but if you had been pleased to point out those ambiguities which put you under the necessity of the Repetition you make we might perhaps have endeavoured to remove them At present we have nothing more to say to you than that we are ready to Confer with you upon the Terms of that Message and no other

Signed p Order John Ross Cl: up: Ho.

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

The following Message is sent to the Lower house with the Journal of Accounts by Samuel Chamberlaine Esq:^r

By the Upper House of Assembly May 4th 1756

Gentlemen

In Answer to your Message with the Journal of Accounts we are as far from Endeavouring to lay the People under any unnecessary burthen as you can be we do not deny but the present Rent of the Governor's house may be something more than what may have been

allowed of heretofore, yet you cannot but know the Governor could not have been otherwise Supply'd with a house at the time he arrived Amongst us the Account sent to your Committee was Stated from a demand M:^r Brice made of that sum for Rent, We hope you'l Joyn with us, and think the Present house Rent may be well worth one hundred pounds p Annum and make the allowance Accordingly

U. H. J.
Liber No. 35
May 4

p. 92

We could not have imagined the payment of Twenty three Pistoles to the Governor for Transcribing the Laws would have met with the least hesitation since they were done by directions of his Majesty and for which Service so large a Sum many years ago was paid to a former Governor when the Laws were not above half in Number what they now are, but as you seem inclined to Postpone it only for the present we shall do the same, in full Confidence that you will allow it at a future Sessions.

As to the Charge of 1350 pounds of Tobacco to the late Governor for the Seals of 15 Proclamations relating to his Lordships Assent to the Inspecting Law we believe it was not intended to give the Law any Additional force, but thought necessary to quiet the minds of people who had been made to believe that the Law was or would be dissented to and as this may probably never happen again we hope you will agree to allow it.

As to the allowance for the Members of the Council for their attendance as a Council of State 'tho you are pleased to receite it as an Act directing the manner of Ellecting delegates &c:^a That Act can only be understood to direct what allowance shall be made to the Members of the Two houses for Attending in Assembly time we might refer you to other Acts and your own Journals for the Councillors allowance which we think both reasonable and Just, but as this Sessions hath been Continued much longer than any heretofore we are willing for the ease of the good people of this Province to wave our allowance at this time that the Journal may pass and to reserve that allowance to a future Sessions. As this Session is drawing near to a Conclusion we have not time to enumerate the many Services done by the Clerk of the Council some of which Cannot be unknown to you, former Assemblys have Judged it to be an usefull office and always allowed the Clerk an Annual Sallary in all the Journals heretofore Passed the Two houses to the year 1747 and never was denied him 'till now therefore to Speak plainly which best becomes our Station we must Insist on your making him the Usual allowance for we are determined never to give it up.

We are much mistaken if the Militia the Governor Ordered out to the Assistance of our Back Inhabitants did not lay the Journal of their proceedings before your house in hopes you would have looked over it and made them such allowances for the time they were absent in the service of the Province as might be reasonable

U. H. J. We readily Agree that the Publick Debt of nine years Standing
 Liber No. 35 is indeed very great and must be Still more burthen on the People
 May 4 if Suffered to be Annually increasing but we think it cannot Justly
 be Imputed to us and we are so far from being Satisfied that no
 demand against the Publick which has either a Lawfull or reasonable
 foundation is ommitted to be made in the Journal of Accounts sent
 up to us, that on the Contrary we must in Justice to ourselves tell
 you that we think had you been willing to allow the Creditors of the
 Publick what was due to them and the Servants thereof such Wages
 as by the plainest Rules of Common Right and Justice you ought to
 have done the Publick Credit would not have fallen into that Con-
 temptible State in which you say it is nor the Journal lain so long
 without being pass'd which we now send down in hopes you will
 make the amendments proposed.

Signed p Order John Ross Cl: Up: Ho

p. 93 Read the Second time the Bill Entituled an Act for Issuing Writts
 of Replevin out of the County Courts and will not pass sent to the
 Lower house by Benedict Calvert Esq^r

A Message from the Lower house by Mess:^{rs} Tilghman and
 Carroll

By the Lower house of Assembly May 4:th 1756

May it Please your Honours

In Answer to your Message of this day as you say you are ready
 to Confer with us on the Terms of your Message of Yesterday and
 no other and as we must still confess we do not clearly understand
 that message but are apprehensive you expect will confer upon the
 whole Subject matter of the last Bill sent down to us with your
 Negative which we cannot by any means Consent to Yet in order to
 demonstrate still further how much we have it at heart to Show our
 Loyalty to our most gracious Sovereign and tender regard for our
 distressed Country We have now instructed our Conferrees to Confer
 with yours upon all the objections made to our Several Bills for His
 Majestys Service and our own Security

Signed p Order M Macnemara Cl: Lo: Ho

Adjourned till to Morrow Morning ten of the Clock

May 5

Wednesday Morning 5th May 1756

The House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
May 5

Tuesday Morning 6th May 1756

May 6

The House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 7th May 1756

May 7

This house met again according to Adjournment

Present as Yesterday

Read the Petition of Several Insolvent debtors in many of the Goals of this Province Praying Relief as follows. Constantine Bull William Grace John Hayes and Ann Garrish of Cæcil County. John Green John Temple Parsons, John Hunt and John Nimmo of Kent County, William Maynard W^m Greenwood Peter Johnson Govan Dunbar Charles M: Carty and Lewis Deford of Queen Anns County. John Bush of Talbot County Edward Dorsey of Dorchester County Abraham Dean and Joseph Thompson of Somerset County, Patrick Carroll Elizabeth Grant and Adam Gough of Baltimore County, John Brown Peter Robinson and George Clarke and Henry Willoford of Prince Georges County, Thomas Catterall Thomas Thompson Jacob Myres Philip Lynham John Bell Robert Marsh and John Berryford of Frederick County Thomas Wyley of Calvert County Philip Waters Richard Clark Mathew How John Maccolly Thomas Somes Thomas Collins John Reed Richard Walmesley James Tapper and John Glover of Ann Arundel County Referred to the Consideration of the Lower house and sent by Samuel Chamberlaine and Benedict Calvert Esq:^{rs}

p. 94

A Bill from the Lower house by Mess:^{rs} Govane and Reynolds Entituled an Act for Suppressing certain Warehouses therein mentioned thus Endorsed

By the Lower house of Assembly 7.th May 1756

Read the first and Second time by an Especial Order and will pass

Signed ʔ Order M Macnemara Cl: Lo: Ho:

U. H. J. Read the first time in this house and Ordered to lye on the Table
Liber No. 35 Adjourned till three of the Clock in the Afternoon
May 7

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

May 8 Saturday Morning 8.th May 1756

This house met again according to Adjournment

Present as Yesterday except Col:^o Hammond

Adjourned till Monday Morning ten of the Clock

May 10 Monday Morning 10.th May 1756

This house met again according to Adjournment

Present

The honble	{	Benjamin Tasker Esq. ^r	}	Philip Thomas Esq. ^r
		Col: ^o Hammond		Col: ^o Tasker
		Samuel Chamberlaine Esq. ^r		Benedict Calvert Esq. ^r

Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

p. 95 Adjourned till to Morrow Morning ten of the Clock

May 11 Tuesday Morning 11.th May 1756

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This house met again according to Adjournment.

Present as in the Morning and Col^o Lloyd

Philip Thomas Esq.^r presents the following Report of the Con-
ferrees on the Bill for Granting a Supply of Forty thousand pounds
for his Majestys Service &c^a

At a free Conference of the Members of both houses of Assembly
the 5.th Day of May 1756 in the Paper Currency Office.

U. H. J.
Liber No. 35
May 11

Present

The Hon.^{ble} { Philip Thomas Esq^r
and
Col:^o Benjamin Tasker } of the Upper House

Philip Hammond Esq.^r
Col^o Edward Tilghman
M:^r Murdock
M:^r Mathew Tilghman } of the Lower House
and
M:^r Carroll

Who then chose Philip Thomas Esq.^r Chairman and Stephen
Bordley Jun:^r Clk

The Conferrees Adjourn to half an hour after two OClock Post
meridiem Who met accordingly, and agreed that in the 22^d page
of the Bill Entituled an Act for Granting a Supply of Forty thousand
pounds for his Majestys Service and Striking Thirty four Thousand
and fifteen pounds six Shillings thereof in Bills of Credit and raising
a fund for Sinking the same after the word Province in the Second
line the words (for the time being should be inserted And in the
third line of the same Page after the word Liquors the following
words and shall be Comissioned for that Purpose by the Governor
or Commander in Chief for the time being

Agreed also that the sum of money to be paid by Private Con-
sumers not rendering an Account upon Oath or affirmation if a
Quaker of the Liquors they Consume to the Collectors of Excise
be Twenty Shillings half yearly

The Conferrees Adjourn till to Morrow Morning nine oClock
and met accordingly

They Adjourn to half an hour after Two oClock Post Meridiem
And met according to Adjournment

A Proposal was made by the Conferrees of the Lower house in
Order to Obviate an objection of the Upper house of the uncertainty
of the funds proposed in the last Bill of undoubtedly Sinking the
money proposed to be raised by that Bill for his Majestys Service
in five years That three Gentlemen of the Upper house and Twelve
of the Lower house should be Nominated in the Bill who or the
Majority of them or the Survivors of them should meet at the
Paper Office on the 15th day of February in the year 1760 and
Inspect the State of the Funds That the Commissioners of the Paper
Office should be under proper penalties if their Accounts were not
on the said 15th day of February in such Order as to Shew the

U. H. J.
Liber No. 35
May 11

State of the funds on View On which said 15.th day of February the said Commissioners so to be Nominated out of and from among the Members of both houses should make Enquirey into the State of the ffunds aforesaid and Estimate what those funds in the five years Collection would amount to allowing the fifth years Collection then to come to be equal to the averaged Rate of the four preceeding years and if any deficiency should appear on such Estimate they should then ascertain such Additional Tax on Lands to make good such deficiency and least the fifth years Collection should fall Short of what should be then allowed in such Estimate by which Means the deficiency might be larger than by such Estimate to them appeared the further sum of five hundred pounds should be added thereto That the Persons so to be Nominated should deliver Certificates of the Rates of the Additional Land Tax aforesaid under their hands and Seals by the day of to the Sheriff of Ann Arundel County under Proper Penalties to be forwarded as Publick Letters that the Additional Tax should be Collected accounted for &c:^a as the Land Tax already Imposed That the Persons so to be Nominated who should then meet and Act should be allowed in the Journal of Accounts to the Pay Ascertained for Councillors and delegates Serving in General Assembly and Itinerant Charges. That the Proceedings of the Persons so to be nominated should be laid before the next General Assembly thereafter. Upon which the Conferrees of the Upper house resorted to their house to take their Instructions Who returned and told the Conferrees of the Lower house that the Upper House would agree to the Proposition except that part which directs that three Members of the Upper House and Twelve of the Lower house should be appointed Commissioners whom they would not agree should be Chose out of the Members of either house but that Persons should be Nominated that were not Members.

The Conferrees Adjourn till ten oClock to Morrow Morning And met Accordingly.

The Conferrees of the Upper house propose that the Commissioners to be appointed in case of a deficiency be appointed in like manner and in the same Proportion as usual by both houses in laying the Publick Levy

Upon which the Conferrees of the Lower house repair to their house for Instructions

The Conferrees Adjourn to half an hour after two oClock Post Meridiem. And met accordingly.

When the Conferrees of the Lower house report that their house will not concur with the proposal of the Conferrees of the Upper House but do propose that the Commissioners to be appointed in Case of a deficiency be five Members of the Upper house and twelve

U. H. J.
Liber No. 35
May 11
p. 97

of the Lower house to be Nominated by each house respectively to which proposal the Conferrees of the Upper house reply that they are not instructed by their house to agree to any Particular Number of Commissioners but are willing to refer it to the usual Practice of laying the Publick Levy according to their Proposal Upon which they resorted to their house and return and further say they are instructed by their house to say that they will not agree to the Proposal made by the Conferrees of the Lower house but Adhere to their former Proposition with this that they are willing to be determined as to the Usage therein by the greatest Number of Precedents that can be found within Twenty years.

The Conferrees Adjourn to ten OClock to Morrow Morning And met accordingly

The Conferrees of the Lower house resort to their house for Instructions and return and say they are Instructed by their house to agree to the Proposition of the Conferrees of the Upper house.

Proposed by the Conferrees of the Upper House that the duty on the buyer of Convicts imported into this Province be struck out of the Bill. Upon which the Conferrees of the Lower house resort to their house they return and say they are Instructed to agree to that Proposal.

The Conferrees of the Upper house object against those words in the Bill which Tax his Lordships reserves but agree that all his Lordships Mannors shall be Taxed and all his other Lands for which he receives or for which he shall receive any Rent should be Subjected to the Tax imposed. Upon which the Conferrees of the Lower house resort to their house for Instruction thereon.

The Conferrees Adjourn to Monday two OClock Post Meridiem

And met accordingly all except M.^r Edward Tilghman and M.^r Murdock

Stephen Bordley Jun.^r Clerk to the Conferrees being unable to attend they Choose for their Clerk Thomas Johnston Junior

The Conferrees of the Lower house acquaint those of the Upper house that the Lower house agree to amend those parts of the Bill which Tax his Lordships Reserves agreeable to the proposal made on Saturday

Agreed that in Page 72 the word (reserved) be struck out and between the words Lands and by in the first line of that Page be inserted which are or shall be hereafter leased out in the fourth line of that Page that the word reserved be struck out and the word leased inserted in its Room. In the third line from the bottom the word computed be struck out and the word whole inserted in its Room, In the same line the word reserved be struck out and the words leased out Inserted in its Room In the 2^d line of the 73^d Page the word reserved be struck out and the word (leased) inserted In the

U. H. J. fifth line of the same Page the word computed be Struck out and
 Liber No. 35 the word whole inserted the word reserved in the same line be struck
 May 11 out and the word leased inserted In the 7th line of the same Page the
 word reserved be struck out and the word leased inserted and that
 there be the same alteration in the tenth line of the same Page.

The Conferrees Adjourn till to Morrow Morning ten OClock, and
 all that were present yesterday met accordingly.

p. 98 The Conferrees of the Upper house propose that a Gun Smith be
 employed in the Fort at 2/6 p day

Upon which the Conferrees of the Lower House resort to their
 house for Instructions

The Conferrees Adjourn to half an hour after Two OClock
 Post Meridiem and those that were present in the Morning met
 accordingly.

M^r Edward Tilghman appeared in the Conference

The Conferrees of the Lower house Acquaint those of the Upper
 house that the Lower house Agree to the Proposition made in the
 Morning.

The Conferrees of the Lower house say they are Instructed to
 Propose to the Conferrees of the Upper house that the Commis-
 sioners to be appointed to enquire into the State of the Funds and
 to Ascertain the Tax to be laid on Lands to make good any deficiency
 that may appear on such Enquirey may be laid under a proper
 penalty to meet and Act.

Upon which the Conferrees of the Upper house repair to their
 house for Instruction and Return and say their house will not agree
 to the Proposition

So ends this Conference

Signed p Order Tho^s Johnson Jun.^r Clk

May 12

Wednesday Morning 12th May 1756

This house met again according to Adjournment

Present as Yesterday

Two Bills from the Lower house by Mess^{rs} Williamson and Wallis
 One Entituled a Supplementary Act to the Act Entituled an Act
 for Repairing the Pubick Roads in this Province the other A Bill
 Entituled an Act for the Relief of Certain languishing Prisoners in
 the Several County Goals therein mentioned Severally thus Endorsed

By the Lower house of Assembly 10th May 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl. Lo: Ho.

By the Lower house of Assembly 12th May 1756

U. H. J.
Liber No. 35
May 12

Read the second time and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this house and Ordered to lye on the Table
Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Message from the Lower house by Mess:^{rs} Carroll and Tilghman

By the Lower house of Assembly 12th May 1756

May it Please your Honours

This house in Consequence of what was agreed to on the Conference of both houses hath Appointed Philip Hammond Charles Carroll John Gassaway William Murdock Mathew Tilghman and Robert Lloyd Esq:^{rs} to Act as Commissioners in Examining and Inspecting into the State of the Funds for replacing and Sinking the sum of Forty Thousand pounds and to apportion the Land Tax in case of a deficiency &c:^a to be raised by Virtue of a Bill Entituled an Act for Granting a Supply of forty Thousand pounds for his Majestys Service and Striking thirty Four thousand and fifteen pounds six Shillings thereof in Bills of Credit and raising a fund for Sinking the same and desire to know who your Honours will Nominate to Join them as Commissioners for the Purpose aforesaid that the Bill now prepared by this house for raising the sum af.^d for his Majestys Service may be filled up and sent to your honours for Concurrence

Signed p Order M Macnemara Cl: Lo: Ho

The following Message is sent to the Lower house by Benedict Calvert Esq^r

By the Upper house of Assembly 12th May 1756

Gentlemen

In Answer to your Message of this day This house hath named Samuel Chamberlaine Philip Thomas Benjamin Tasker Jun^r Richard Lee Benedict Calvert and William Goldsborough Esq:^r to Join the Comm:^{rs} appointed by your house in examining and Inspecting into the State of the Funds for Replacing and Sinking the sum of Forty thousand pounds and to Apportion the Land Tax in case of a deficiency to be Raised by Virtue of a Bill Entituled an Act for Granting a Supply of Forty thousand pounds for his Majestys Service and Striking Thirty four thousand and fifteen pounds six shillings thereof in Bills of Credit and raising a fund for Sinking the same

Signed p Order John Ross Cl: Up: Ho

U.H.J. A Bill from the Lower house by Mess:^{rs} Gassaway and Lloyd
 Liber No. 35 Entituled an Act for Granting a Supply of Forty Thousand pounds
 May 12 for his Majestys Service and Striking Thirty four thousand and
 fifteen pounds six Shillings thereof in Bills of Credit and raising a
 fund for Sinking the same thus Endorsed

By the Lower house of Assembly 12:th May 1756

Read and with the Amendments agreed to by the Conferrees of
 both houses of Assembly will pass.

Signed p Order M Macnemara Cl: Lo: Ho.

Adjourned till to Morrow Morning ten of the Clock

May 13

Thursday Morning 13th May 1756

This house met again according to Adjournment

Present as Yesterday except Philip Thomas and Col: Tasker

Read the Second time the Bill Entituled an Act for the Relief of
 Certain languishing Prisoners in the Several County Goals therein
 mentioned passed and sent to the Lower house by Samuel Chamber-
 laine Esq.^r

Read the Second time the Bill Entituled a Supplementary Act to
 the Act Entituled an Act for Repairing the Publick Roads of this
 Province passed & sent to the Lower house by Col^o Hammond.

p. 100 Adjourned till to Morrow Morning ten of the Clock

May 14

Friday Morning 14th May 1756

This House met again According to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

The following Message is sent to the Lower house by Samuel
 Chamberlaine Esq^r

By the Upper House of Assembly 14:th May 1756
 Gentlemen

As there are in the Supply Bill that was sent the 12:th Instant by
 Lloyd and Gassaway and which now lies before us Several Clauses
 that particularly relate to and very circumstantially prescribe what
 Measures shall be taken and method pursued with regard to Military
 affairs and as the Constructing Forts, regulating and Supporting

Garrisons forming Regiments and Companies of Soldiers and in Short everything of this sort is in a manner quite new to us and of which we do not profess or think ourselves Competent Judges: We have thought proper to request the favour of His Excellency (who from his Experience and knowledge in these maters and his acquaintance with the Western parts of this Province must be able to advise us) to Communicate to this house his Sentiments on Several parts of your Bill and as His Excellency has not refused to oblige us therein We Submit to your Consideration the following Propositions hoping and as it is not yet too late that if all or any of the Propositions meet with your approbation you will not be averse to such a Correction of the Bill as might Render it more perfect and make it Answer better than it may do in its present form the good Ends for which it was designed and framed

U. H. J.
Liber No. 35
May 14

1st Tho a Fort on the North Mountain will be very proper and necessary yet such a Fort alone Garrisoned with only 200 Men will not effectually Secure and protect the Inhabitants because the North Mountain is so near the Settlements on Conegocheigh that parties of Indians may easily pass the Fort come down destroy the Inhabitants and retire again beyond the Fort in a few hours without being observed or before an alarm can be given: but if beside such Fort another Strong one was to be raised on the Eminence at the Conflux of the North and South Branches of Potowmack and a Block house or small Fort between that and the North Mountain and a Body of three hundred men Supported to Garrison them and Patroll or Range on the frontiers it would be very difficult for the Enemy to make any Incursions and destroy the Inhabitants without being discovered by such Patrolling or Ranging Parties, and in Case they should Venture down yet as soon as they should do any Mischief an Alarm would be given and detachments from the Western Forts timely apprized thereof and ordered to dispose of themselves in the best manner to cut of the Enemys retreat most of the three hundred men would be ready to Join and Act in Conjunction with the Troops of the Neighbouring Colonies on Occasion or would be able of themselves to March into the Enemys Country and Annoy them in their Towns or hunting grounds and as the Constructing or Garrisoning such Forts to the Westward of the North Mountain would also Contribute much to the Safety of the Neighbouring Provinces and is no more than is necessary to be done before any Expedition be undertaken or carried on to the Westward the expence thereof might be defrayed out of the Sum proposed to be granted for his Majesty's Service and which the Bill directs to be paid to the Commander in Chief that is or may be appointed to carry on such Expedition. A Fort at the Mouth of the South Branch would Secure a large Tract of Adjacent fine Pasture Land the Advantages of which to Troops employed on an Expedition to the Westward are too obvious

p. 101

U. H. J.
Liber No. 35
May 14

to mention it would also Serve as a Place of Arms and Magazine for the Forces that may be engaged in such Service it being almost as far up as Potowmack is Navigable for small Craft and Fort Cumberland being very improper for such purposes on Account of its Situation which will allways prevent its being a place of Strength or even made Tenable and moreover by our building such Forts and keeping up such a Number of men for them the Inhabitants who live and have fine Settlements beyond the North Mountain would be encouraged to remain on their respective Plantations instead of deserting them as they must otherwise do and be reduced from affluent or easy Circumstances to a State of dependance or want.

2^{dly} It would be more Advisable to form the 200 Men proposed to be raised and Supported for the defence of the Fort on the North Mountain and to Range on the said Mountain into three Companies or else let them all be under the Command of one Captain or Commandant and be divided into three Relieves each Relief to Consist of a Lieutenant Ensign three Sergeants three Corporals and 58 Men

3^{dly} The Officers that may be appointed Commissioned to raise the 300 or any Number of men for carrying on an Expedition to the westward (if not the Officers who are to raise the Two hundred men for the Fort on the North Mountain should be permitted to offer and give a larger Bounty to Voluntiers than three pieces of Eight in some of the Neighbouring Colonies the Officers are allowed to give £5 for every Recruit

4 It should be left to the Commander in Chief of the intended Expedition to form the Companies that will be raised in this Province and put under his Command as he shall think proper which he cannot do if the Bill directs what Number of Officers and men each Company shall Consist of: The Regulation of such Troops or Companies Pay should also be left to him that by regulating the Pay of all the Provincial Troops that shall be under his Command and making it similar he might prevent the uneasieness dissatisfaction and Mischiefs that would be occasioned by a different Regulation and allowance.

5 The Neighbouring Colonies Pennsylvania not excepted Subject the Troops that are Supported by them respectively for their defence to Tryals by Courts Martial is it Proper that the Soldiers which are to be raised for Building and Garrisoning the Fort proposed to be built within this Province should alone be exempted from such Tryals and that to have a Soldier Punished for Mutiny and desertion his Officer must bring him before a Court of Judicature and Order all that part of the Garrison that shall be able to give Evidence against him to March down to a County Court in Order to attend and give Evidence on the Tryals

U. H. J.
Liber No. 35
May 14

6 Instead of obliging any or every Person who shall kill Scalp or take an Enemy Indian Prisoner to go before a Magistrate and make Oath &c^a before he be Entitled to the reward for so doing and then to apply to one of the Agents for such Reward would it not be better to impower and direct the Commanding Officer at the Fort or on the Expedition to Administer such Oath and make immediate payment otherwise the Country will for some time lose the Service of every one that shall be Successfull and as the Neighbouring Colonies Offer and give much larger rewards than our Bill proposes for Indian Prisoners and Scalps to all persons without distinction would it not at least appear better if we did not restrain or Confine the Reward to Inhabitants of this Province only.

These matters Gentlemen we Submit to your Consideration but if you shall after perusal thereof be unwilling to make any alterations in the Bill and be still desirous to have it pass in its present form you shall not long want our Assent and Concurrence.

Signed p Order John Ross Cl: Up: Ho

Read the Petition of John Farrow a Voluntier in Capt Cagworthy's Company of Foot and who was draughted by General Braddock into his Majestys 48 Regiment of Foot and by some Accident on his duty therein was rendered incapable of Service and thereby discharged Praying Relief. Recommended to the Consideration of the Lower house and sent by Benedict Calvert Esq:.

A Message from the Lower house by Mess:^{rs} Earle and Bracco

By the Lower house of Assembly 14:th May 1756.

May it Please your Honours

In Answer to your Message of this afternoon by Samuel Chamberlaine Esq: respecting the Bill for his Majesty Service now with your Honours We can only say That as that Bill is framed Agreeable to the free Conference of both houses We cannot agree to any Alterations in it therefore request it may pass in its present form As your Honours are pleased to tell us it shall if we don't approve of what you have proposed

Signed p Order M Macnemara Cl: Lo: Ho

Read the Bill Entituled an Act for Granting a Supply of Forty thousand pounds for his Majestys Service and Striking Thirty four Thousand and fifteen pounds six Shillings thereof in Bills of Credit and raising a fund for Sinking the same and with the Amendments p. 103 agreed to by the Conferrees of both houses of Assembly will pass

Signed p Order John Ross Cl: Up: Ho:

Two Engrossed Bills from the Lower house by Mess:^{rs} Traverse and Reeder One Entituled an Act for the Relief of Certain Languishing Prisoners in the Several County Goals therein mentioned the

U. H. J. other A Supplementary Act to the Act Entitled an Act for repairing
 Liber No. 35 the Publick Roads in this Province Severally thus Subscribed 14:th
 May 14 May 1756

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl: Lo: Ho

Read and Assented to by this house and Ordered to be so Sub-
 scribed

Adjourned till to Morrow Morning ten of the Clock

May 15

Saturday Morning 15th May 1756

This house met again according to Adjournment

Present as Yesterday and Richard Lee Esq.^r

A Bill from the Lower house by Mess :^{rs} Stoddart and Baker Enti-
 tuled an Act for preventing Indians disaffected to the British Inter-
 est in America from coming into this Province as Spies or any other
 evil design thus Endorsed

By the Lower house of Assembly 14:th May 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower House of Assembly 15th May 1756

Read the Second time and will pass

Signed p Order M Macnemara Cl Lo: Ho

Read the first time in this house and Ordered to lye on the Table
 Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Message from the Lower house with the Journal of Accounts
 by M :^r Goldsborough and others.

By the Lower house of Assembly May 15th 1756
 May it please your Honours

We herewith send you the Journal of Accounts in which is In-
 serted an allowance to M^r Ross Clerk of the Council for Publick
 Services by him done and have Resolved that for the future no such
 allowance shall be made but upon having a particular Account laid
 before us by M^r Ross for Publick Services by him done for this Pro-
 vince we shall allow what appears to us reasonable.

We have also made an allowance to the Militia Ordered out to the Assistance of the Frontier Inhabitants agreeable to the Journals of the Several Captains laid before us by his Excellency the Governor.

U. H. J.
Liber No. 35
May 15

We cannot agree to your Honours Proposals for Advancing the Rent of the Governors House nor to the Payment of 1350^{lb} Tobacco to the late Governor for Seals to 15 Proclamations relating to his Lordships Assent to the Inspection Law for reasons given in a Message from this house sent up the 1st Instant and hope for your Honours Concurrence to the Journal of Accounts as it now stands. p. 104

Signed p Order M Macnemara Cl: Lo: Ho

An Engrossed Bill from the Lower house by Mess:^{rs} Lloyd and Entituled an Act for granting a Supply of Forty Thousand pounds for his Majestys Service and Striking Thirty four Thousand and fifteen pounds six Shillings thereof in Bills of Credit and raising a fund for Sinking the same thus Subscribed.

15th May 1756

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl: Lo: Ho

Read and Assented to by this house and Ordered to be so Subscribed the paper Bill so Endorsed is sent to the Lower house by Benedict Calvert Esq.^r

Adjourned till Monday Morning ten of the Clock

Monday Morning 17th May 1756

May 17

This House met again according to Adjournment

Present

The Hon ^{ble}	{	Benjamin Tasker Esq. ^r	}	Col. ^o Lloyd
		Col. ^o Hammond		Richard Lee Esq. ^r
		Samuel Chamberlaine Esq. ^r		Benedict Calvert Esq. ^r

A Bill from the Lower house by Mess:^{rs} Handy and Gray Entituled a further Supplementary Act to an Act Entituled an Act for Quieting possessions enrolling Conveyances and Securing the Estates of Purchasers thus Endorsed

By the Lower house of Assembly 15th May 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower House of Assembly 17th May 1756

Read the Second time and will pass

Signed p Order M Macnemara Cl: Lo: Ho:

U. H. J. Read the first time in this house and Ordered to lye on the Table
 Liber No. 35 The Journal of Accounts is sent to the Lower house by Col:^o
 May 17 Hammond thus Endorsed.

By the Upper house of Assembly 17:th May 1756
 Read and Assented to by the Upper house of Assembly
 Signed p Order John Ross Cl: up Ho
 Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem
 This house met again according to Adjournment

Present as in the Morning
 p. 105 Read the second time the Bill Entituled an Act for preventing
 Indians disaffected to the British Interest in America from coming
 into this Province as Spies or any other evil Design passed and sent
 to the Lower house by Richard Lee Esq:^r
 Adjourned till to Morrow Morning ten of the Clock

May 18 Tuesday Morning 18th May 1756

This house met again according to Adjournment

Present as Yesterday except Col^o Hammond
 An Engrossed Bill from the Lower house by Mess:^{rs} Henry and
 Bracco Entituled an Act for preventing Indians disaffected to the
 British Interest in America from coming into this Province as Spies
 or any other evil design thus Subscribed

18th May 1756
 Read and Assented to by the Lower House of Assembly
 Signed p Order M Macnemara Cl: Lo: Ho
 Adjourned till three of the Clock in the afternoon

Eodem Die Post Meridiem
 This house met again according to Adjournment

Present as in the Morning
 A Bill from the Lower house by Mess:^{rs} Addison and Govane
 Entituled an Act for preventing the Importation of German and
 French Papists and Popish Priests and Jesuits into this Province
 and of Irish Papists by way of Pennsylv^a or the Government of
 Newcastle Kent and Sussex on Delaware thus Endorsed

By the Lower house of Assembly 21:st April 1756
 Read the first time and Ordered to lye on the Table
 Signed p Order M Macnemara Cl: Lo: Ho

By the Lower house of Assembly 18th May 1756

Read the Second time and will pass

U. H. J.
Liber No. 35
May 18

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this house and Ordered to lye on the Table

A Bill from the Lower house by Mess:^{rs} Jenifer and Tilghman
Entituled an Act for the Speedy and effectual Publication of the
Laws of this Province and for the Encouragement of Jonas Green
of the City of Annapolis Printer thus Endorsed

By the Lower house of Assembly 18th May 1756

Read the first and Second time by Especial Order and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this house and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 19th May 1756

May 19

This house met again according to Adjournment

Present as Yesterd Col:^o Hammond and Philip Thomas Esq:^r

The Bill prepared in this house Entituled an Act to Prevent the p. 106
Growth of Popery within this Province brought from the Lower
house by Mess:^{rs} Goldsborough and Hawkins thus Endorsed

By the Lower house of Assembly 23^d April 1756

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo: Ho

By the Lower House of Assembly 18th May 1756

Read the Second time and with the Amendments proposed and
herewith sent will pass

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower house of Assembly 18th May 1756

Amendments proposed to the Bill Entituled an Act to Prevent
the growth of Popery within this Province

The whole Preamble to be struck out and the following inserted
Vizt Whereas at this time of uncommon and imminent danger from
Our Powerfull Perfidious Enemies and the Cruel blood Thirsty
barbarous Savages their Allies it is highly expedient to guard against
every intestine Foe And Whereas divers Jesuits Priests and Popish
Missionaries have for some time had their residence in this Province
and have acquired and do now possess therein large Tracts of Land
and much Property, and their is too much reason to fear especially
at this Juncture that they will Seduce and withdraw from their

U. H. J. Allegiance many of his Majestys faithfull Protestant Subjects and
 Liber No. 35 by their wicked and Subtle Insinuations excite and Stir up dis-
 May 19 affected Persons to Sedition and open Rebellion against his Majestys
 Government And Whereas it is thought necessary not only for the
 Peace and Security of this Province in Particulars but the Safety
 of his Majestys Colonies in North America in General that the
 growth of Popery should be restrained by all reasonable and Just
 means

In the 14:th line of the first Page between the Words instructed
 and perswaded insert in any kind of learning or

In the 17th line of the same Page between the Words Office and
in insert or place of Trust

In the 20th line of the same Page the words and between the words
instructed and educated be struck out and the words in any kind of
learning or inserted

In the last line of the same Page between the Words any and
devise insert the descent.

In the 3^d Page and 4:th line from the bottom between the Words
Tutor and who insert not being a Popish Priest, or Jesuit

In the 4th Page and 13th line between the words Practice and
engage insert to observe

In the 12th line of the 7:th Page between the Words having and
any insert the words or holding

Between the Words hereditaments and lying in the 12:th and 13th
 lines of the 7th Page insert the words or any Negroes or other Slaves

Between the words Province and shall in the 13:th line of the same
 Page insert as follows either for his own use Advantage or Emolu-
ment or having or holding the same in trust for the use of and to the
 p.107 Intent or purpose that the same or the Profits or proceed thereof
shall or may be applied or applicable to or for or towards any
Seminary or School for the Education of youth in the Romish
Religion in this Province or elsewhere or to or for any Popish or
Superstitious Use or uses whatsoever.

In the 17th line of the same Page between the words Hereditaments
 and whereof insert and negroes or other Slaves

In the 18:th line of the same Page between the words Advantage
 and shall insert or in trust for the uses aforesaid

In the same line of the same Page between the words in and
possession insert the words Seisin or

In the 8:th line of the 9:th Page between the words Estates and to
 insert or Estates by them held in Trust for the uses af.^d

U. H. J.
Liber No. 35
May 19

In the 16:th line of the same Page between the words Heredita-
ments and of insert and Negroes or other Slaves

In the 24:th line of the same Page at the end thereof after the
word Hereditam:^{ts} insert the words or Negroes or other Slaves

In the 25:th line of the same Page between the words Province
and shall insert as follows either for his own use advantage or
Emolument or having or holding the same in Trust for the use of
and to the intent or purpose that the same or the Profits or proceed
thereof shall or may be applied or applicable to or for or towards any
Seminary or School for the Education of Youth in the Romish
Religion in this Province or elsewhere or to or for any Popish or
Superstitious use or uses whatsoever

In the same line and Page between the words within and year
strike out the word three and insert the word one

In the 27:th line of the same Page between the words Convey and
all insert the Words to any Person being a Protestant

In the 29:th line of the same Page between the words hereditaments
and which insert and negroes or other Slaves

In the 30:th line of the same Page from the word thereof to the
word all in the last line leave out the words shall forfeit and lose

In the first line of the ninth Page between the words heredita-
ments and not insert Negroes or other Slaves

Between the words of and and in the third line of the same Page
insert as follows shall be forfeited And be it further Enacted that
such Sale and the deed of Bargain and Sale expressing the Con-
siderations Bona fide paid duly acknowledged by the said Priest or
Priests Jesuit or Jesuits and recorded in the Provincial or County
Court Office where the Lands lie in six Months after such acknowl-
edgement and the Payment of the Consideration money and this
Act shall Vest in such Purchaser being a Protestant a good sure
and indefeazable Estate of Inheritance in fee Simple to such Lands
Tenements and Hereditaments so by them registred and by this Act
directed and Ordered to be sold as af.^d And that every Bill of Sale p. 108
duly Recorded shall vest in such Purchaser being a Protestant a Sure
and certain Estate in and to every Negroe and other Slave registred
and by this Act directed and Ordered to be sold as afs.^d

In the 16:th line of the same Page Strike out the words of the
at the end and insert in their stead the word such

In the 17:th line of the same Page between the words Heredita-
ments and held insert Negroes or other Slaves

In the 20:th line of the same Page between the words Heredita-
ments and remain insert Negroes or other Slaves

U. H. J. In the 22^d line of the same Page between the words Heredita-
 Liber No. 35 ments and directed insert Negroes or other Slaves
 May 19

In the 23^d line of the same Page between the words Heredita-
ments and that insert Negroes or other Slaves

Leave out from the word Currency in the 7th line of the 10:th
 Page to the word And in the sixth line in the 11:th page and insert
 And be it further enacted by the Authority af.^d that all and every
 Jesuit Seminary Missionary or other Spiritual or Ecclesiastical
 Person made or Ordained by any Authority Power or Jurisdiction
 derived Challenged or pretended from the Pope or See of Rome
 or that shall profess himself or otherwise appear to be such by
 Preaching and Teaching of others to say any Popish Prayers by
 Celebrating Mass Granting of Absolution or using any other of the
 Popish Ceremonies and Rites of Worship who shall appear or Come
 into this Province after the first day of August in this present year
 shall be deemed and accounted an Incendiary and disturber of the
 Publick Peace and Safety and shall forfeit and pay the sum of Five
 hundred pounds Current money or in default thereof shall be ad-
 judged to Suffer perpetual Imprisonment

Leave out from the word removal in the 12th line of the 13th
 Page to the word this in the 5:th line of the 14:th Page and insert
 the following Clause And be it further Enacted that all the Several
 fines and forfeitures imposed by this Act shall be devided into Two
 equal parts whereof one half shall be paid to the Treasurer of each
 respective Shore for the use and Support of the free Schools in this
 Province the other half to the Informer or him her or them that
 will Sue for the same in any Court of Record having Jurisdiction
 thereof by any Action of Debt Bill Plant or Information wherein
 no Essoin Protection or Wager of Law to be allowed

Signed p Order M Macnemara Cl: Lo: Ho:

Read and with the Amendments proposed by the Lower house
 will not pass

Adjourned till three of the Clock in the Afternoon

p. 109

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

May 20

Thursday Morning 20th May 1756

This house met again according to Adjournment

Present as Yesterday and Col.^o Tasker

Read the Second time the Bill Entituled an Act for the Speedy and
 Effectual Publication of the Laws of this Province and for the En-

couragement of Jonas Green of the City of Annapolis Printer passed and sent to the Lower house by Richard Lee Esq.^r

U. H. J.
Liber No. 35
May 20

Read the second time the Bill Entituled a further Supplementary Act to an Act Entituled an Act for Quieting Possessions enrolling Conveyances and Securing the Estates of Purchasers and will pass with the following Amendments leave out the first 16 lines in the Bill and to the word af.^d in the 17th line and insert the following words

Whereas no other than Deeds of Bargain and Sale are Comprized within the Act of Assembly for Quieting Possessions Enrolling Conveyances and Securing the Estates of Purchasers Be it therefore Enacted by the Righ honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower houses of Assembly and the Authority of the same sent to the Lower house by Benedict Calvert Esq.^r

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Message from the Lower house by Mess.^{rs} Goldsborough & Gassaway

By the Lower house of Assembly May 20th 1756
May it Please your Honours

This house hath appointed Philip Hammond Esq.^r Cap^t John Gassaway M^r Walter Dulany M.^r John Goldsborough M.^r Mathew Tilghman and M^r Robert Lloyd as a Committee of this house to meet and apportion the Publick Levies and desire to know what Members your Honours will please to Nominate to Join them in the said Committee that the Bill now preparing for that purpose may be filled up

Signed p Order M Macnemara Cl: Lo: Ho:

The following Message is sent to the Lower house by Richard Lee Esq.^r

By the Upper house of Assembly 20th May 1756
Gentlemen

This house hath appointed Col.^o Charles Hammond Samuel Chamberlaine and Philip Thomas Esq.^r Col.^o Benjamin Tasker Richard Lee and Benedict Calvert Esq.^{rs} to Join the Members named by your house in a Committee to meet and apportion the Publick Levies

p. 110

Signed p Order John Ross Cl: up: Ho:

A Bill from the Lower house by Mess.^{rs} Earle and Bracco Entituled an Act for preventing all Retailers of Liquors from Selling in small Quantities thus Endorsed

U. H. J.
Liber No. 35
May 20

By the Lower house of Assembly 18th May 1756
Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower house of Assembly 20th May 1756
Read the Second time and will pass

Signed p Order M Macnemara Cl: Lo: Ho:

Read the first time in this house and Ordered to lye on the Table

A Bill from the Lower house by Mess:^{rs} Earle and Bracco Entituled An Act to Impower the Justices of the several County Courts to make Provision for the late Inhabitants of Nova Scotia and for regulating their Conduct thus Endorsed

By the Lower house of Assembly 20th May 1756
Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower house of Assembly 20th May 1756
Read the Second time by an Especial Order and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this house and Ordered to lye on the Table

A Bill from the Lower house by Mess:^{rs} Lloyd and Dulany Ent.^d an Act for the Assessment and payment of the Publick Charge of this Province thus Endorsed

By the Lower house of Assembly 20th May 1756
Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl: Lo: Ho

By the Lower house of Assembly 20th May 1756
Read the Second time by an Especial Order and will pass

Signed p Order M Macnemara Cl: Lo: Ho

Read the first time in this house and Ordered to lye on the Table
Adjourned till to Morrow Morning ten of the Clock

May 21

Friday Morning 21st May 1756

This house met again according to Adjournment

Present as Yesterday

p. 111 An Engrossed Bill from the Lower house by Mess:^{rs} Govane and [Williamson] Entituled an Act for the Speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer Thus Subscribed

21st May 1756

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl. Lo: Ho:

Read and Assented to by this house and Ordered to be so Subscribed

U. H. J.
Liber No. 35
May 21

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning and Col:^o Goldsborough

A Message from the Lower house by Mess:^{rs} Carroll and Jordan

By the Lower house of Assembly 21st May 1756

May it Please your Honours

As it appears to this house that there is a Want of Books Paper Parchment and Ink powder for the necessary use of the Publick Therefore in Order that such necessarys may be Provided in the easiest and best manner We propose that the Treasurer of the Western Shore be Ordered to send for them to the Amount of Thirty pounds Sterling and that they be paid for by M^r William Hunt Merchant in London out of the money in his hands due to this Province with which we desire your honours Concurrence

Signed p Order M Macnemara Cl: Lo: Ho:

The following Message is sent to the Lower house by Col^o Tasker

By the Upper house of Assembly 21st May 1756

Gentlemen

This house Agrees that the Treasurer of the Western Shore send to England for the use of the Publick for Books Paper Parchment and Ink powder to the Amount of Thirty pounds Sterling and that M^r Hunt be directed to pay for the same out of the Publick money Lodged in his hands for the use of this Province

Signed p Order John Ross Cl: up: Ho:

Read the Second time the Bill Entituled an Act for Preventing the importation of German and French Papists and Popish Priests and Jesuits into this Province and will not pass sent to the Lower house by Benedict Calvert Esq:^r

Read the second time the Bill Entituled an Act for Suppressing certain Warehouses therein mentioned and will not pass

Read the second time the Bill Entituled an Act to impower the Justices of the Several County Courts to make Provision for the late Inhabitants of Nova Scotia and for regulating their Conduct passed And the Bill Entituled an Act for the Assessment and Payment of the Publick Charge of this Province passed and sent to the Lower house by Richard Lee Esq:^r p. 112

Read the second time the Bill Entituled and Act to Prevent all Retailers of Liquors from Selling in small Quantities and will pass

U. H. J. the Appropriation of the fines in the Several places of the Bill being
 Liber No. 35 left out Sent to the Lower house by Samuel Chamberlaine Esq:^r
 May 21
 Adjourned till to Morrow Morning ten of the Clock

May 22 Saturday Morning 22^d May 1756

This house met again according to Adjournment

Present as Yesterday

Two Engrossed Bills from the Lower house by Mess:^{rs} Handy & Reeder.

An Act to impower the Justices of the Several County Courts to make Provision for the late Inhabitants of Novia Scotia and for regulating their Conduct. and an Act for the Assessment and payment of the Publick Charge of this Province thus Subscribed.

22^d May 1756.

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl: Lo: Ho

Read and Assented to by this house and Ordered to be so Subscribed

Samuel Chamberlaine Esq:^r brings in the following Report Vizt Maryland ss.^t

At a Committee of both houses of Assembly appointed to Inspect the Office and proceedings of the Commissioners for Emitting Bills of Credit Established by Act of Assembly May 22:^d 1756

Were Present

The Honourable Samuel Chamberlaine Esq:^r of the Upper house

M: ^r Walter Dulany	}	M: ^r Alex: ^r Williamson	}	Of the Lower House
M: ^r Michael Earle		M: ^r John Bracco		
Col: ^o John Henry		M: ^r Josiah Beale		

Who Agreed to make the following Report

Your Committee at the desire of the Commissioners did Count Over and see destroyed by burning to Ashes the following torn and defaced Bills amounting to the sum of £1110..2..0

Viz: ^t	92 Bills of 20/	Value each.....	£92.. 0..0
	104 Bills of 15/	Value each.....	78.. 0..0
	257 Bills of 10/	Value each.....	128..10..0
	576 Bills of 5/	Value each.....	144.. 0..0
	1414 Bills of 2/6	Value each.....	176..15..0
	3444 Bills of 1/6	Value each.....	258.. 6..0
	4651 Bills of 1/	Value each.....	232..11..0

£1110.. 2..0

Which is Submitted to the Consideration of both houses of Assembly by Samuel Chamberlaine Walter Dulany M:^r Earle John Henry Alex^r Williamson John Bracco Josi Beale. U. H. J.
Liber No. 35
May 22

A Message from the Lower house by Mess:^{rs} Goldsborough and Carroll with the following Ordinance. p. 113

By the Lower house of Assembly 22^d May 1756

May it Please your honours

We desire your honours Concurrence to the Ordinance herewith sent empowering his Excellency to appoint a Person to receive and indent for the proportion of Arms and Ammunition his Majesty has been pleased to order for our use and for empowering the Treasurers to defray the Expence of bringing the same into this Province

Signed p Order M Macnemara Cl: Lo: Ho.

Whereas his Majesty has been Graciously pleased to obtain ten thousand Stands of Arms and a Proportionable Quantity of Ammunition to be employed for the Service of his Colonies as from time to time there shall be occasion and is required that each Colonie to which any of those Arms shall be delivered give Security to return them to the Officer his Majesty has been pleased to appoint except in case of their being lost in Battle or taken or destroyed by the Enemy And it being necessary that some person should be appointed to receive the Proportion of said Arms and Ammunition which may be allotted for this Government It is Ordained by his Excellency the Governor and the Upper and Lower houses of Assembly that any Person his Excellency shall name and appoint be and is hereby empowered to receive the said Arms and Ammunition and that this Government will stand and be Security for returning to the Officer his Majesty has been pleased to appoint as af.^d any Number of the said Arms which may be delivered to the said Person so appointed to receive the same except in Case of their being lost in Battle or taken or destroyed by the Enemy and that the said Person be empowered to indent accordingly And it is further Ordained that the Treasurers of this Province shall by Order under the hand of his Excellency defray the Expence of Conveying and bringing the said Arms and Ammunition into the same And that the said Expence be allowed them in their respective Amounts

22^d May 1756

Read and Assented
to by the Upper house
of Assembly

Signed p Order

Henry Hooper

Speaker

Hor:^o Sharpe

22^d May 1756

Read and Assented
to by the Lower house
of Assembly

Signed p Order

Benj.^a Tasker

Speaker

U. H. J. The following Message Sent to the Lower house by Richard Lee
Liber No. 35 Esq^r
May 22

By the Upper house of Assembly 22^d May 1756

Gentlemen

This house Agrees to the Ordinance empowering the Governor to appoint a Person to receive and indent for the Proportion of Arms and Ammunition his Majesty has been pleased to Order for Our Use and for empowering the Treasurers to defray the expence of bringing the same into this Province and has Signed the same accordingly

Signed p Order John Ross Cl: Up: Ho

p. 114 The Several Paper Bills the Original of which have passed both houses this Session are sent to the Lower house by Col:° Taskere.
Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

Ordered that the Clerk of this house Receive the same fees on all Private Bills Passed this Session as are allowed by the Lower house to their Clerk

Richard Lee and William Goldsborough Esq:rs are sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate attendance with the Lower house in the Upper house to See the Laws Passed both houses this Session receive the Assent.

The Lower house Attend and by their Speaker present to his Excellency the following Bills Viz.^t

An Act for Granting a Supply of Forty Thousand pounds for his Majestys Service and Striking Thirty four thousand and fifteen pounds six Shillings thereof in Bills of Credit and raising a fund for Sinking the same

An Act for the Continuance of Process in Cæcil County March Court and to cure some defects that may have happened in the proceedings of the Several County Courts of this Province and for the Explaining the Act of Assembly Entituled an Act appointing Certain days on which the Several and respective County Courts within this Province are to be held.

An Act to vest certain Entailed Lands therein mentioned in the female heirs of Leonard Hollyday Gentleman in Fee Simple

A Supplementary Act to an Act entituled An Act empowering the Justices of Worcester County to Levy on the Taxable Inhabitants of All hallows Parish a Sum of Tobacco and for other Purposes therein mentioned

An Act to impower and direct the Clerk of Ann Arundel County Court to Record among the said County Records a deed of Bargain and Sale from Tho^s Larkin to John Jordan deceased.

U. H. J.
Liber No. 35
May 22

An Act empowering the Justices of Somerset County to Levy not exceeding Twenty Thousand pounds of Tobacco upon the Taxable Inhabitants of the said County for the Use therein mentioned.

An Act for Quieting the differences that have arisen and may hereafter arise between the Inhabitants of this Province and the Several Indian Nations and for Punishing Trespasses Committed on their Lands

An Act Continuing an Act entituled an Act directing the manner of Punishing furnication and Adultery before a Single Justice of the Peace out of Court

An Act for the Relief of certain Languishing Prisoners in the Several County Goals therein mentioned. p. 115

A Supplementary Act to the Act entituled An Act for repairing the Publick Roads in this Province

An Act for preventing Indians disaffected to the British Interest in America from coming into this Province as Spies or on any other evil design

An Act for the Speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer

An Act to impower the Justices of the Several County Courts to make Provision for the late Inhabitants of Nova Scotia and for regulating their Conduct

An Act for the Assessment and payment of the Publick Charge of this Province.

All which his Excellency passed into Laws in the Usual form by Sealing them with the Right honourable Lord Proprietary his great Seal at Arms and Subscribing them on behalf of the Right honourable the Lord Proprietary of this Province I will this be a Law

After which his Excellency was Pleased to Conclude this Session with the following Speech.

Gentlemen of the Lower house of Assembly

As you seemed to be persuaded at the Opening of this Session that a well Armed and well regulated Militia would at this Season be our best Security and were pleased to tell me that a proper Law for that purpose should be one great object of your Deliberations, I confess I was a little Surprized at your sending me such a Message as you did this Morning before you have performed what you gave me such Room to hope and expect; however as you have intimated that by puting an End to this Session. I shall do a thing not

U. H. J. less agreeable to your wishes than I did in convening you I will
 Liber No. 35 not press you to take that affair into Consideration till your next
 May 22 meeting but shall Content myself at present with recommending
 it particularly to those Gentlemen of each house that are Commanders
 and Officers to have the Militia in their respective Counties duly
 Mustered and exercised agreeable to Our present Laws which I
 shall by Proclamation order to be Strictly put into execution till
 one more perfect and effectual can be made for that purpose. I hope
 that the Provision that is now made for the Protection of the Inhabi-
 tants will give them some Satisfaction And though I could wish
 that a larger Share of the Forty thousand pounds had been appro-
 priated to the immediate defence of the Frontiers yet I hope enough
 is done to revive the Spirits of the back Inhabitants and encourage
 them at least to remain on their respective Plantations. And Gentle-
 men as you have in the Supply Bill Signified an earnest desire to
 be Convened again in the Winter I propose to gratify you unless
 such a Step should then appear unnecessary or any extraordinary
 Occurrence Oblige me to put the Country to the expence of a Ses-
 sion before: In the mean time I desire you will in your Several
 Counties Exert yourselves as becomes worthy Members of the Com-
 munity and a Branch of the Legislature and that by promoting
 Harmony among the people by your Conversation and discouraging
 by your influence such practices as may tend to disquiet the minds
 of your Constituents and to disturb the Public Tranquility you will
 Endeavor to Convince all factions and Malevolent persons that they
 cannot be more industrious in Contriving Mischief than we are Vigi-
 lant and carefull to render their Wicked designs abortive.

p. 116

Gentlemen of Both houses.

In Confidence that you will unanimously Aid this good part and
 by your good Conduct as Private Gentlemen endeavour to approve
 yourselves worthy of the Trust reposed in you I heartily wish you
 all happiness and Prosperity and agreeable to your desire, I do, with
 the advice of his Lordships Council of State Prorogue this Assembly
 to the first Monday in January next, to which day you are to take
 Notice that you are prorogued accordingly

Thus Ends this Session of Assembly begun and held at the City
 of Annapolis on Monday the 23:^d day of February and Ending the
 22:^d day of May following in the sixth year of his Lordships
 dominion and in the 29th year of his Majestys Reign Annoq domini
 1756.

J Ross Ct

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

Maryland s:^{cet}

At a Session of Assembly held at the City of Annapolis,
On Monday the Twenty-third Day of February, Anno
Domini 1756, in the fifth Year of the Dominion of the
Right Honourable Frederick, Absolute Lord and Pro-
prietary of the Province of Maryland and Avalon, Lord
Baron of Baltimore, &c. (his Excellency Horatio Sharpe,
Esq; being Governor) the following Delegates appeared
in the Lower House of Assembly, viz.

L. H. J.
Liber No. 48
1756,
February 23
p. 161

The Hon^{ble} Col.^o Henry Hooper, Speaker

For St. Mary's County,
M.^r Thomas Reeder.

For Kent County,
M.^r William Hynson,
Capt. Alexander Williamson,
M.^r Hugh Wallace.

For Anne-Arundel County,
Philip Hammond, Esq;
Major Henry Hall,
Cap.^t John Gassaway.

For Calvert County,
Col.^o William Fitzhugh,
M.^r Thomas Reynolds,
M.^r James John Mackall,
M.^r Benjamin Mackall.

For Charles County,
M.^r Bayne Smallwood,
Capt. John Stoddert.

For Talbot County,
M.^r John Goldsborough,
M.^r Matthew Tilghman,
M.^r James Edge.

For Dorchester County,
M.^r Joseph Cox Gray.

For Cæcil County,
M.^r Michael Earle,
M.^r Henry Ward.

For Baltimore County,
M.^r John Paca,
M.^r Walter Tolley,
M.^r William Govane.

For Prince-George's County,
M.^r William Murdock,
M.^r George Fraser,
M.^r John Hawkins, jun.^r

For the City of Annapolis,
M.^r Stephen Bordley,
M.^r Walter Dulany.

For Queen-Anne's County,
M.^r Robert Lloyd,
Col. Edward Tilghman,
M.^r Henry Casson,
M.^r John Bracco.

For Frederick County,
M.^r Joseph Chapline,
M.^r Josiah Beall.

L. H. J. A sufficient Number of Delegates to compose the Lower House
 Liber No. 48 of Assembly having met at the Stadt-House, Ordered, That M.^r
 February 23 Smallwood and M.^r Govane, do acquaint his Excellency therewith.

They return and acquaint M.^r Speaker with having delivered the Message.

Col. Hammond, and Samuel Chamberlaine, Esq; from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately in the Upper House.

M.^r Speaker left the Chair, and (with the rest of the Members of the Lower House) attended the Governor in the Upper House; where his Excellency made the following Speech, viz.

p. 162 Gentlemen of the Upper and Lower Houses of Assembly,

[This message is printed in full in the Upper House Journal, pages 219-21.]

p. 163 M.^r Speaker (with the rest of the Members) returned to the Lower House and re-assumed the Chair.

On Motion, his Excellency's Speech was read, and ordered to lie on the Table.

M.^r William Smith, a Delegate returned to serve in this present Session of Assembly, for Baltimore County, appeared in the House. M.^r John Reeder, a Delegate returned to serve in this present Session of Assembly, for St. Mary's County, appeared in the House. Ordered, That M.^r Paca, and M.^r Thomas Reeder, do go with those Gentlemen, to the Upper House, to see them qualified: They return and acquaint M.^r Speaker, that they saw M.^r Smith and M.^r John Reeder qualified, in the usual Manner. The Gentlemen took their Seats in the House.

Ordered, That the Gentlemen who were on the several Committees from this House last Session, be continued thereon this Session.

Resolved, That the Rules of the House observed by the several Members last Session, be observed by them as such during this Session.

Resolved, That the Hours of Sitting for Dispatch of public Business this Session, be from Nine of the Clock before Noon until Twelve, and from Two of the Clock Afternoon until Five.

Ordered, That M.^r Dulany do acquaint the Reverend M.^r MacPherson, that he is requested by this House to read Divine Service daily, at Eight of the Clock in the Morning, and at Five of the Clock in the Evening, during this Session.

On Motion, Ordered, That M.^r Speaker do issue his Warrant to the Deputy Secretary of this Province forthwith to make out two Writs of Election, the one directed to the Sheriff of Anne-Arundel County, to elect a Delegate, or Burgess, to serve in the General

Assembly of this Province now sitting, in the room of Dr. Charles Carroll, deceased; also, another directed to the Sheriff of Worcester County, to elect a Delegate, or Burgess, to serve in the General Assembly of this Province now sitting, in the room of M.^r John Dennis, junr., who, since the last Election, hath accepted the Office of Sheriff of the said County.

L. H. J.
Liber No. 48
February 23

On Motion, That an Address be prepared to his Excellency, on his Speech: Ordered, That the Committee of Laws do prepare and bring in the same.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Edward Sprigg appeared in the House.

The following Message:

By the Lower House of Assembly, February 23, 1756. p. 164

May it please your Honours,

This House hath appointed M.^r Dulany, M.^r Earle, M.^r Edge, M.^r Beall, M.^r Williamson, and M.^r Bracco, a Committee from this House, to inspect the Accounts and Proceedings of the Commissioners, for emitting Bills of Credit, established by Act of Assembly; and desire your Honours to appoint one or more Members of your House to join in the said Committee.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by M.^r Dulany and M.^r Earle.

The House adjourns until the Morrow Morning at 9 of the Clock.

Tuesday Morning, 24.th Feb.^{ry} 1756.

February 24

The House met according to Adjournment, &c.

M.^r Edmondson, Col. Scarborough, Capt. Evans, and Capt. Jordan, appeared in the House.

Samuel Chamberlaine, Esq; from the Upper House delivers to M.^r Speaker the following Message:

“ By the Upper House of Assembly, February 24, 1756.

Gentlemen,

This House hath appointed Samuel Chamberlaine, Esq; to join the Members, named by your House, in a Committee, to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed per Order, J. Ross, Cl. Up. Ho.”

The House adjourns till 2 of the Clock Afternoon.

L. H. J.
Liber No. 48
February 24

Post-Meridiem.

The House met according to Adjournment, &c.

It being moved to the House by a Member, that the Reverend M.^r John Hamilton, Rector of St. Mary Anne's Parish in Cæcil County, in this Province, had uttered several reviling Speeches in his Presence, reflecting upon the Lower House of Assembly in general, and against some particular Members thereof:

Ordered, That the Serjeant at Arms, attending this House, do take into his Custody the Body of the said John Hamilton, and him safe keep, so that he have him personally at the Bar of this House, to answer such Things as shall be objected against him, for having uttered several Speeches, reflecting on the Dignity and Proceedings of the Lower House of Assembly of the Province aforesaid.

p. 165 The House adjourns until the Morrow Morning at 9 of the Clock.

February 25

Wednesday Morning, 25th February, 1756.

The House met according to Adjournment, &c.

Ordered, That M.^r Murdock be added to the Committee of Laws.

Philip Hammond, Esq; from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency the Governor; which was read, approved, and ordered to be ingrossed.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Crabb appeared in the House.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To His Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, beg Leave to return your Excellency our most sincere Thanks for your kind Speech, at the Opening of this Session: An Opportunity to provide for our immediate Safety, and to contribute to the Execution of a Plan that has been concerted (in Obedience to his Majesty's Instructions to General Shirley) for preventing the further Encroachments of his ambitious and perfidious Enemies, on his American Dominions, and dispossessing them of what they have, in a Time of full

Peace, in open Violation of the most solemn Treaties, made themselves Masters of, we embrace with the greatest Pleasure, as most agreeable to our Wishes.

L. H. J.
Liber No. 48
February 25

We flatter ourselves our Behaviour on this so highly important Occasion, will fully demonstrate, that your Excellency's Confidence of our keeping secret the Copy of the Minutes of Proceedings of a Council of War, held at New-York, together with the other Papers, therewith, by your Excellency, for our Satisfaction, laid before us, is well grounded: And we will, after paying a due Regard to our own immediate Safety, with the greatest Chearfulness and Expedition, grant such Supplies as can be reasonably expected from this Province, towards carrying the proposed Plan into Execution. And being as deeply affected with a Sense of the Danger of suffering the Enemy to make any further Progress, and of our Duty to the best of Sovereigns, as any of our Fellow-Subjects in the neighbouring Colonies can be, we hope to acquit ourselves as well as the most Zealous of them: Nor shall it be for Want of our chearfully exercising our most Endeavors (consistent with the Rights and Privileges of our Constituents) to promote and forward them, if unhappily those Enterprises that may be undertaken for our common Safety, and in the Event of which we are so nearly interested, should not prove successful.

p. 166

That our Circumstances and Prospect are much altered since last Spring, by the Issue of the Expedition, in which the Troops that his Majesty was graciously pleased to order from Europe to our Assistance, and some of the Provincial Forces, were then engaged, and with the Consequences thereof to these Southern Colonies, we are unfortunately too well acquainted: But whether by that Event, by French Artifices, or by any other Mean, the Delaware and Shawanese Tribes of Indians (till then esteemed our Friends) have been terrified, or seduced from their Attachment to the British Interest, and instigated to carry on a most cruel and inhuman War, we are most sensibly affected with, and feel with ardent Indignation, the most severe Calamities which the Frontier-Inhabitants (especially of our Sister Colonies) have for some Time been, and we understand still are exposed to, from so active, fierce and merciless Enemies.

To multiply Words on a Subject so shocking to human Nature, might perhaps afford Occasion of Suspicion, that most of us being remote from the horrid Scene, our Resentment is not yet sufficiently raised at the audacious Conduct of those Blood-thirsty Barbarians, and that we continue cool and indifferent Spectators, of their more than inhuman Transactions, tho' flushed with Success, and triumphing at having lately depopulated and laid waste considerable parts of three Provinces, they now insolently boast, that nothing less than our utter Extirpation shall appease their savage Fury; but we should be

L. H. J.
Liber No. 48
February 25

wanting in Gratitude to your Excellency, if we did not return you our hearty Thanks for the Confidence you are pleased to express, that such a Suspicion would be groundless and most unjust; and we cannot figure to ourselves any Thing that can at this Time divert us from making a Provision suitable to the Circumstances of the People we represent, against their Incursions for the future, and for the Services recommended to our Consideration by your Excellency.

p. 167 As we are convinced the Reasons that induced us to make an Act at our last Session, to prevent warlike Stores and Provisions being exported from this Province to our Enemies, still exist, we will, with all possible Dispatch, revive that Act: Your Excellency's Expedient for preventing ill-disposed Persons from taking Advantage of its Expiration, being a Transaction, we conceive, not warrantable by Law, we are sorry we cannot give it the Approbation your Excellency seems to desire; tho' at the same Time we are fully convinced it was the Effect of your earnest Intentions for promoting his Majesty's Service, and the Interest of the common Cause.

As the most natural Strength of every free Government (and on which we apprehend we must at this Season chiefly depend for our Security) consists in a well-armed and well-regulated Militia, a proper Law for that Purpose shall be one great Object of our Deliberations. And we take Leave to assure your Excellency, we entertain the most sanguine Hopes that the Unanimity and Dispatch, which will attend the Proceedings of the several Branches of the Legislature, at this Time of uncommon and imminent Danger, will clearly demonstrate to all the World how much they have at Heart the Honour of his most Sacred Majesty, and the Safety and Welfare of his American Dominions.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Major Hall and Col. Tilghman do acquaint his Excellency, That this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, That the Governor was pleased to signify he would be ready to receive the Address in the Conference Chamber immediately.

Ordered, That Philip Hammond, Esq; and Thirteen more, do present the Address to his Excellency.

On Motion, Leave given, to bring in a Bill to revive the Act entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards supplying the French, or their Allies.

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On Motion, Leave given, to bring in a Bill, For Regulating and Arming the Militia of this Province.

L. H. J.
Liber No. 48
February 25

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till the Morrow Morning at 9 of the Clock.

Thursday Morning, 26th February, 1756.

February 26
p. 168

The House met according to Adjournment, &c.

M.^r Charles Goldsborough appeared in the House.

M.^r Matthew Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act reviving and continuing an Act entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, &c. which was read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by M.^r Lloyd and M.^r Reynolds.

On Motion, Resolved, That this House will Resolve itself (Afternoon) into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

As I conclude that your Conduct, during this Session, will correspond with, and be agreeable to, your Professions, your obliging Address gives me much Satisfaction and makes me also entertain very sanguine Hopes, that the several Branches of the Legislature will, by their Proceedings, at this Time of imminent Danger, demonstrate, that they have nothing more at Heart, than the Honour of his most Sacred Majesty, and the Safety and Welfare of his American Dominions.

Hor.^o Sharpe.

M.^r Dulany, from the Committee appointed to inspect the Accounts and Proceedings of the Commissioners, for emitting Bills of Credit, &c. delivers to M.^r Speaker the following Report, viz.

Maryland, ss.

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners, for emitting Bills of Credit, established by Act of Assembly, February the Twenty Sixth, 1756,

L. H. J.
Liber No. 48
February 26
p. 169

Were Present

The Honble Samuel Chamberlaine, Esq; of the Upper House.

M. ^r Walter Dulany,	} Of the Lower House.
M. ^r Michael Earle,	
M. ^r James Edge,	
Capt. Alexander Williamson, And	
M. ^r John Bracco,	

Who make choice of and appoint the Honble Samuel Chamberlaine, Esq; Chairman; and Richard Dorsey their Clerk; and proceed to make the following Report.

Your Committee find, That the Commissioners have closed their Books to the 17th Day of Feb^{ry} Instant, by which it appears that there remains of the £89990 a Ballance in the Iron Chest of £4117..8..4 and that since the closing of the Books they have received the Sum of £440..0..2½ amounting in the whole to £4557..8..6½

Which is submitted to the Consideration of both Houses of Assembly.

Samuel Chamberlaine,
Walter Dulany,
Michael Earle,
James Edge,
Alexander Williamson,
John Bracco.

The Order of the Day being read;

On Motion, the House resolved into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

M.^r Speaker left the Chair.

M.^r Speaker re-assumed the Chair.

M.^r Lloyd, Chairman, from the Committee of the whole House, delivers to M.^r Speaker the following Report, viz.^t

That the Committee of the whole House had proceeded to take into Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House, That the said Committee may sit again to proceed further on the said Affair.

On Consideration of the said Report, Resolved, That this House will, on the Morrow Morning, Resolve itself into a Committee of the whole House, to consider further of Ways and Means to raise a Sum of Money towards his Majesty's Service.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker a Petition of the back Inhabitants of Frederick County; indorsed, By the Upper House of Assembly, read and recommended

to the Consideration of the Lower House of Assembly; which Petition was here read, and ordered to lie on the Table.

L. H. J.
Liber No. 48
February 26
p. 170

The House adjourns until the Morrow Morning at 9 of the Clock.

Friday Morning, 27:th Feb.^{ry} 1756.

February 27

The House met according to Adjournment, &c.

M.^r Waggaman, M.^r Handy, and Col.^o John Henry, appeared in the House.

The Order of the Day being read;

In Pursuance of the Resolve of Yesterday, the House Resolved into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

M.^r Speaker left the Chair.

M.^r Speaker re-assumed the Chair.

M.^r Lloyd, Chairman of the Committee of the whole House, reported to M.^r Speaker, That the Committee had again proceeded to take into Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House, That the said Committee may sit again to proceed further on the said Affair.

On Consideration of the said Report, Resolved, That this House will (Afternoon) Resolve itself into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Capt. John Dennis appeared in the House.

The Order of this Day being read;

In Pursuance of the Resolve of this Morning, the House Resolved into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

M.^r Speaker left the Chair.

M.^r Speaker re-assumed the Chair.

M.^r Lloyd, Chairman of the Committee of the whole House, reported to M.^r Speaker, That the Committee had again proceeded to take into Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House, That the said Committee may fit again to proceed further in the said Affair.

L. H. J.
Liber No. 48
February 27
p. 171

On Consideration of the said Report, Resolved, That this House will, on the Morrow Morning, resolve itself into a Committee of the whole House, to consider of Ways and Means to raise a Sum towards his Majesty's Service.

The House adjourns till the Morrow Morning at 9 of the Clock.

February 28

Saturday Morning, 28th February, 1756.

The House met according to Adjournment, &c.

On Motion, That an Address be prepared to his Excellency on his Message of the 8th of July last: Ordered, That the Committee of Grievances do prepare and bring in the same.

M.^r Matthew Tilghman is added to the Committee of Grievances and Courts of Justice.

M.^r Reeder, Col. Fitzhugh, and M.^r Charles Goldsborough, have Leave of the House to go home.

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act reviving and continuing an Act entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, &c. indorsed, By the Upper House of Assembly, 27th February, 1756. Read the second Time and will pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

The Order of the Day being read;

In Pursuance of the Resolve of Yesterday, the House Resolved into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

M.^r Speaker left the Chair.

M.^r Speaker re-assumed the Chair.

M.^r Lloyd, Chairman of the Committee of the whole House, report to M.^r Speaker, That the Committee had again proceeded to take into Consideration the Matter referred to them by he Honourable House; but not having had Time to compleat the same, prays Leave of the House, That the said Committee may sit again to proceed further on the said Affair.

On Consideration of the said Report, Resolved, That this House will (Afternoon) Resolve itself into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

p. 172 Major Hall, from the Committee of Laws, brings in and delivers to M.^r Speaker an ingrossed Bill entituled, An Act reviving and

continuing an Act entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, &c. which was read and assented to, and sent to the Upper House, with the Paper Bill, by Col. Tilghman and M.^r Hawkins.

L. H. J.
Liber No. 48
February 28

The Order of this Day being read;

In Pursuance of the Resolve of this Morning, the House Resolved into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

M.^r Speaker left the Chair.

M.^r Speaker re-assumed the Chair.

M.^r Lloyd, Chairman of the Committee of the whole House, reported to M.^r Speaker, That the Committee had again proceeded to take into Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House, That the said Committee may sit again to proceed further on the said Affair.

On Consideration of the said Report, Resolved, That this House will, on Monday Morning, Resolve itself into a Committee of the whole House, to consider of Ways and Means to raise a Sum towards his Majesty's Service.

The House adjourns till Monday Morning at 9 of the Clock.

Monday Morning, 1st March, 1756.

March 1

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Col. Fitzhugh, M.^r Thomas Reeder, Capt. Gassaway, M.^r Paca, M.^r Bordley, and M.^r Beall. The Proceedings were read.

M.^r Baker appeared in the House.

On Motion, Leave given, to bring in a Bill, To adjourn Talbot and Dorchester County Courts: Ordered, That the Committee of Laws do prepare and bring in the same.

On Motion, Ordered, That it be an Instruction to the Committee (from this House) appointed to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office, to require the Clerk of the Paper Currency Office to lay before that Committee a List of all the Bonds and Mortgages taken by the Commissioners or Trustees of that Office, with their Dates, Time when paid, Interest received and remaining due to the 20th Day of February, 1756.

Ordered, That Col. John Henry be added to the Committee for inspecting the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

p. 173

M.^r Charles Goldsborough, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for the

L. H. J. Adjournment and Continuance of Talbot and Dorchester County
 Liber No. 48 Courts; which was read the first and second Time by an especial
 March 1 Order, and will pass; and was sent to the Upper House by M.^r Golds-
 borough and M.^r Edmondson.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Mills appeared in the House.

On Motion, Ordered, That M.^r Handy, M.^r Waggaman, Col. John Henry, and Col. Scarborough, do enquire, Whether the Indians mentioned in an Act entituled, An Act to impower Commissioners to appoint and cause to be laid out Three Thousand Acres of Land on Broad-Creek in Somerset County, for the Use of the Nanticoke Indians, so long as they shall occupy the same, do occupy the Lands mentioned in the said Act, and, Whether they did ever desert and leave the same, contrary to the Tenor of the said Act; and make Report thereof to the House the next Session of Assembly.

Col. Tasker, from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for the Adjournment and Continuance of Talbot and Dorchester County Courts; indorsed, By the Upper House of Assembly, 1st March, 1756. Read the first and second Time by especial Order, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

The Order of the Day being read;

In Pursuance of the Resolve of Yesterday, the House Resolved into a Committee of the whole House, to consider of Way and Means to raise a Sum of Money towards his Majesty's Service.

M.^r Speaker left the Chair.

M.^r Speaker re-assumed the Chair.

M.^r Lloyd, Chairman of the Committee of the whole House, reported to M.^r Speaker, That the Committee had proceeded to take into Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House, that the said Committee may sit again to proceed on the said Affair.

On Consideration of the said Report, Resolved, That this House will, on the Morrow Morning, Resolve itself into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

On Motion, That an Address be prepared to his Excellency, requesting him to communicate to this House what Steps (if he hath been

acquainted with them) have been taken by the Governments of South and North-Carolina, Virginia and Pennsylvania, relative to a Treaty with any of the Tribes of the Southern Indians: Ordered, That the Committee of Laws do prepare and bring in an Address accordingly.

L. H. J.
Liber No. 48
March 1

An ingrossed Bill entituled, An Act for the Adjournment and Continuance of Talbot and Dorchester County Courts, was read and assented to; and sent to the Upper House, with the Paper Bill, by M.^r Gray and M.^r Edge.

M.^r Matthew Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency the Governor; which was read, approved, and ordered to be ingrossed.

Major Hall, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

Having under our Consideration General Shirley's Proposals for a Treaty of Friendship and Alliance with the Southern Indians, and being desirous, in Conjunction with the other Colonies therein mentioned, to do our Parts towards securing those Indians to the British Interest, and engaging them to assist his Majesty's Subjects in defending their Frontiers and annoying their Enemies; we humbly request your Excellency will be pleased to communicate to this House such Advices as your Excellency may have received from the Governments of the Carolinas, Virginia, or Pennsylvania, relative to the Negotiation of the proposed Treaty, that we be the better enabled to proceed in our Deliberations on that Matter.

Which was read and assented to, and signed, by Order of the House, by the Hon^{ble} Speaker.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker the Paper Bill entituled, An Act reviving and continuing an Act entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, &c. and, An Act for the Adjournment and Continuance of Talbot and Dorchester County Courts; severally indorsed, By the Upper House of Assembly: The ingrossed Bill, whereof this is the Original, is read and assented to.

On Motion, That a Bill be brought in, To prevent Masters of Ships and other Vessels from bartering with Servants and Slaves: Leave given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On Motion, That an Address be prepared to his Excellency, to request him to make Application to the Governor of Virginia or New-York for a Quantity of his Majesty's Arms and Ammunition, p. 175

L. H. J.
Liber No. 48
March 1

for the Use of this Province, and also to request his Excellency to acquaint this House, Whether the Arms have been returned, which belonged to this Province, and were lent to Col. Innes: Ordered, That the Committee of Laws do prepare and bring in an Address accordingly.

Samuel Chamberlaine, Esq; and Col. Benjamin Tasker, from the Upper House, acquaint Mr. Speaker that the Governor requires the Members of the Lower House of Assembly to attend him immediately in the Upper House.

M.^r Speaker left the Chair, and with the Members of the Lower House went to the Upper House, and presented to his Excellency the ingrossed Bill entituled, An Act reviving and continuing an Act entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards supplying the French or their Allies; and the ingrossed Bill entituled, An Act for the Adjournment and Continuance of Talbot and Dorchester County Courts; both which his Excellency passed into Laws in the usual Manner.

M.^r Speaker returned with the Members of the Lower House and Re-assumed the Chair.

The House adjourns until the Morrow Morning at 9 of the Clock.

March 2

Tuesday Morning, 2^d March, 1756.

The House met according to Adjournment, &c.

Ordered, That Col. Tilghman and M.^r Bracco do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker the Governor was pleased to signify he would receive the Address at 12 of the Clock in the Conference Chamber.

The Order of the Day being read;

In Pursuance of the Resolve of Yesterday, the House Resolved itself into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

M.^r Speaker left the Chair.

M.^r Speaker re-assumed the Chair.

M.^r Lloyd, Chairman of the Committee of the whole House, reported to M.^r Speaker, That the Committee had again proceeded to take into Consideration the Matter referred to them by the Honourable Lower House of Assembly; but not having had Time to compleat the same, prays Leave of the House to sit again, to proceed further on the said Affair.

On Consideration of the said Report, Resolved, That this House will, in the Afternoon, Resolve into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

L. H. J.
Liber No. 48
March 2

On Motion, Ordered, That M.^r Mills, M.^r Williamson, M.^r Hammond, M.^r J. Mackall, M.^r Smallwood, M.^r Waggaman, M.^r J. Goldsborough, M.^r C. Goldsborough, M.^r Govane, M.^r Earle, M.^r Murdock, M.^r Dulany, Col. Tilghman, Col. J. Henry, and M.^r Crabb, be a Committee to enquire into Ways and Means to raise Money for his Majesty's Service.

Ordered, That M.^r Lloyd and M.^r Dulany do present the Address to his Excellency.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker a Petition of the Indians of Locust-Neck upon Choptank River, in Dorchester County; indorsed By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly which Petition was here read, and ordered to lie on the Table.

p. 176

The House adjourns till 2 of the Clock 'Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

His Excellency communicated to M.^r Speaker the following Message, viz.^t

Gentlemen of the Lower House of Assembly,

In Answer to your Address, presented me this Morning, I must acquaint you, that I have not received any Letter from the Governors of Virginia and the Carolinas since I forwarded to them Copies of General Shirley's Proposals for a Treaty of Friendship and Alliance with the Southern Indians; neither do I know what Resolutions the Assemblies of those Provinces or Pennsylvania have come to thereon, tho' I flatter myself that none of them will be so far wanting to themselves, as to spare any Expence or Pains to secure those Indians to the British Interest, and engage them to assist his Majesty's Subjects in defending their Frontiers, or annoying their Enemies: As you also seem very solicitous to gain this most desirable Point, I am persuaded I need not urge any Arguments to incite you to make such Provision, agreeable to the General's Proposals, that when the several neighbouring Colonies have come to some Resolution thereon, they may find Commissioners sufficiently empowered by the Legislature of this Province, and ready to negotiate with theirs, and in Conjunction with them, by Presents or otherwise, to improve the good Disposition of the Catawba and Cherokee Nations towards us, which they have both professed, and the Chero-

L. H. J. keeps particularly shewn, by sending above a Hundred of their Warriors some Time since to join some Companies of the Virginia Rangers, and with them to attack one of the Shawanese Towns.
 Liber No. 48
 March 2

Hor.^o Sharpe.

The Order of the Day being read;

In Pursuance of the Resolve of this Day, the House Resolved itself into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

M.^r Speaker left the Chair.

M.^r Speaker re-assumed the Chair.

p. 177 M.^r Lloyd, Chairman of the Committee of the whole House, reported to M.^r Speaker, That the Committee had proceeded to take into Consideration the Matter referred to them by the Honourable Lower House of Assembly; but not having had Time to compleat the same, prays Leave of the House, that they may sit again to proceed further on the said Affair.

On Consideration of the said Report, Resolved, That this House will, on the Morrow Morning, Resolve into a Committee of the whole House, to consider of Ways and Means to raise a Sum of Money towards his Majesty's Service.

His Excellency communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

A Few Days before you met, I was informed that some of the Inhabitants of that Part of Pennsylvania which lies on Conococheague, had been cut off by a Party of Indians, and their Habitations destroyed; and at the same Time I received a Petition from a great Number of the back Inhabitants of Frederick County, wherein they set forth their unhappy Situation and Circumstances, and most earnestly intreated me to send them some Assistance, which might preserve them from the Miseries that their neighbours in Pennsylvania had experienced, and were still suffering: I thereupon gave Lieutenants Baker and Shelby Commissions and Instructions to raise each of them a Party of Twenty Men for the Protection of such Inhabitants, till I could recommend their deplorable Case to your Consideration, and until more effectual Measures could be taken for their Preservation. As I doubt not but the inclosed Letters and Papers will convince you, that my Refusal or Neglect to comply with the abovementioned Petition might have been attended with very bad Consequences, I hope you will express your Approbation of the steps I have taken, by enabling me to fulfil my Engagement to pay such Parties at the Rate of forty Shillings a Month to each Man, and that you will take such farther Measures to secure the Frontier Inhabitants from the Dangers that threaten them, as to you shall seem expedient and necessary.

One of the inclosed Papers, which I received Yesterday from New-York, will shew you, that the French are at this Time in Motion on the Lake Ontario, and that they have laid a Scheme to reduce our Forts at Oswego this Winter, and seduce our Indian Allies of the Six Nations. I entertain Hopes, however, that such an Enterprize will be rendered abortive by the Measures that General Shirley has taken for the Security of that Place; tho' I am persuaded, that nothing less than all the Colonies exerting their united Strength this ensuing Summer can frustrate the Hopes our ambitious Enemies have entertained, that they shall soon become Masters of that Lake, and thereby have it in their Power to compel our Friends of the Six Nations to join and assist them in extending their Conquests.

L. H. J.
Liber No. 48
March 2

March 2, 1756

Hor.^o Sharpe.

Fort-Johnson, January 28, 1756.

[Printed
Votes and
Proceedings
Feb.-Apr.
1756,
pp. 11-12]

Sir,

Just now came here two Oneidas Express from the Senecas, and brought with them a large Belt of black Wampum, 14 Rows broad and 2½ Foot long, who made the following Speech.

There is about 20 of the Oghuagy and Tuscaroras here these eight Days past, and about 30 more expected: The Express says, there will be a vast Number of the Five Nations down: This goes by Express, which the Indians insisted on.

I am, Sir,

Your most obedient humble Servant,

Robert Adams.

Brother Warraghiyagee,

About three Weeks ago came a large Vessel to Niagara, with a French Officer on board, who enquired where his Children were who always kept there, for that he could not then see any of them. Children,

The English has been threatening us all last Summer about taking Niagara and Cataraghqua Forts, which I dreaded very much, especially Niagara, which is to be compared to nothing else than a decayed Tree, which if a small Wind came, would blow it down. Children,

I have been at the defeating of the English at Ohio, and hearing of General Johnson's coming to Crown-Point, immediately set off to meet him; when I first met his People, the Smoke of my Guns made such a Darkness before my Eyes that I could not see my Children, but marching a little farther, discovering Numbers of them lying dead in the Road, which made my Heart bleed, as I heard General Johnson had said he did not want his Brothers to fight, but to look on and see him fight.

March 2
[Printed
Votes and
Proceedings
Feb.–Apr.
1756,
pp. 11–12]

Children,

I now tell you, that I am going to steal Oswego from them, and my Army that's coming is very numerous, and makes a great Noise.

I don't intend to listen any more to my Children; you have never heard me promise any Thing but what I always fulfilled; and I desire you, Children, to keep from that Place they call Oswego.

Brother Warraghiyagee,

We, the Sachems of the Five Nations, now assembled at Onondago, do now let you know, that we see Death before our Eyes, and that we send this Post to desire that there may be Men ready to send to the Relief of Oswego, for you may assure yourself the above is nothing but Truth.

A true Copy.

Daniel Claus.

Onondago, January 23, 1756

Sir,

This is to acquaint you of the News what the Indians brought here, a Belt of Wampum which is come from Niagara, and desires our Indians that they should stand aside; that they would go to Oswego to take it within 10 or 12 Days: The French is to set out from Niagara To-day or To-morrow, as the Indians told me; and they desire me to write it to your Honour to acquaint you with all the Speed.

The Indians is to go from here within 4 Days; so no more at present; but remain

Your humble Servant,

John Van Sice.

To the Honourable Major-General Johnston.

A true Copy. Examined by Benjamin Barons, Secretary.

L. H. J.
Liber No. 48

The House adjourns till the Morrow Morning at 9 of the Clock.

March 3

Wednesday Morning, 3^d March, 1756.

p. 178

The House met according to Adjournment, &c.

M.^r Beall appeared in the House.

The Order of the Day being read;

In Pursuance of the Resolve of Yesterday, the House Resolved into a Committee of the whole House, to consider the Ways and Means to raise a Sum of Money towards his Majesty's Service.

M.^r Speaker left the Chair.

M.^r Speaker re-assumed the Chair.

M.^r Lloyd, Chairman of the Committee of the whole House, reported to M.^r Speaker, That the Committee had proceeded to take into Consideration the Matter referred to them by the Honourable

House, and came to the following Resolutions, and desired him to report the same to the house, viz.

L. H. J.
Liber No. 48
March 3

That there be a Fort constructed and four Block-Houses on the Western Frontier of this Province.

That 200 Men be employed to Garrison the Fort and Block-Houses.

That the 200 Men, to Garrison the Fort and Block-Houses, be drafted, if necessary, out of the respective Companies of the Militia in this Province, and that there be a Bounty of Three Pieces of Eight, or Twenty-two Shillings and Six Pence, paid to each Man that shall voluntarily offer, be accepted, and shall attend the Service.

That the Sum of £11,000 be raised for the Purposes aforesaid, and for Such Expences as may necessarily accrue thereon.

That the Sum of £10 be paid to the Inhabitants of this Province, and our Indian Allies, for the Scalp of every Enemy Indian, or for any Indian Prisoner, brought and legally proved before some Magistrate of this Province; and that the Sum of £1000 be raised, to be deposited in Bank for that Purpose.

That two Commissioners, from this Province, be appointed to Treat with the Southern Tribes of Indians, in Conjunction with those that are or may be appointed by the Governments of South and North-Carolina, Virginia and Pennsylvania; and that the Sum of £3000 be raised, to be applied to cultivate the Friendship and engage the Assistance of those Indians.

That the Sum of £10,000 be raised, to be applied (if Occasion be) towards carrying on an Expedition to the Westward, in Conjunction with the other Governments.

That the Sum of £15,000 be raised as a Supply for his Majesty's Service, towards carrying on the Plan of Operation to the Northward.

On Consideration of the said Report, the House concurs therewith. The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

p. 179

Col. Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

Col. Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

L. H. J.
Liber No. 48
March 3

May it please your Excellency,

It being intimated to this House, That there are a considerable Quantity of Arms and Ammunition, now in Virginia, which have been lodged there by his most gracious Majesty for the Use of his American Colonies, we humbly request the Favour of your Excellency to make Application to that Government to know what Arms and Ammunition may be had from thence for the Use of this Province, and on what Terms.

And we crave Leave further to request your Excellency, that you would be pleased to inform us, Whether the Arms which were by your Excellency, at the Request of Col. Innes, Commander in Chief of the North-Carolina Forces, some Time ago delivered him from the Magazine of this Province, have been replaced.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. Tilghman and M.^r Matthew Tilghman do acquaint his Excellency, that this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker the Governor was pleased to signify he would receive the Address in a Quarter of an Hour in the Conference Chamber.

Ordered, That M.^r Waggaman and M.^r Hawkins do present the Address.

The House adjourns until the Morrow Morning at 8 of the Clock.

March 4

Thursday Morning, 4th March, 1756.

The House met according to Adjournment, &c.

M.^r Paca appeared in the House.

On reading the Petition of the Indians of Locust Neck upon Choptank River, in Dorchester County, Leave is given to bring in a Bill for the Petitioners Relief. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Col. Addison appeared in the House.

p. 180

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I have writ to Governor Dinwiddie on the Subject of your Yesterday's Address, and at the Messenger's Return will communicate to you his Answer.

There were 150 Muskets sent hence to the Carolina Troops the Summer before last: Col. Innes, as appears by the Armourer's Account, has returned only 132, but 28 of them have Bayonets, and are much better than what he borrowed.

L. H. J.
Liber No. 48
March 4

4th March 1756

Hor.^o Sharpe.

On Motion, That an Address be prepared to his Excellency, requesting him to give Directions to the proper Officers to lay before this House an Account of the Exports and Imports of every Kind, for five Years last past, ending at the first Day of January last: Ordered, That the Committee of Laws do prepare and bring in such Address.

The House Adjourned till tomorrow morning at 8 of the Clock.

Friday Morning, 5th March, 1756.

March 5

The House met according to Adjournment, &c.

All appeared as Yesterday except Mr. Hammond.

On Motion, That an Address be prepared to his Excellency, in Answer to his Message of the 2d Instant:

Ordered, That the Committee of Laws do prepare and bring in an Address accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On Motion, Resolved, That the Sum of £500 be taken out of the Loan-Office, to be applied for the immediate Assistance of the Inhabitants on the Western Frontier of this Province: Ordered, That the Committee of Laws do prepare and bring in an Ordinance accordingly, and a Message to the Upper House of Assembly (to be sent therewith) requesting their Concurrence.

Ordered, That M.^r Benjamin Mackall be added to the Committee for inspecting the Arms and Ammunition, and Accounts relating thereto.

M.^r Dulany, from the Committee appointed to inspect the Accounts and Proceedings of the Commissioners or Trustees, for emitting Bills of Credit, established by Act of Assembly, &c. delivers to M.^r Speaker the following Report, viz.^t

[This report is printed in full in the Upper House Journal, pages 230-3.]

Which was Read, and ordered to lie on the Table.

p. 184

L. H. J.
Liber No. 48
March 5

The following Message, viz.

By the Lower House of Assembly, March 5, 1756.

May it please your Honours,

We have now under our Consideration, a Bill for the Defence of the Province, but as it requires Time to frame it with Propriety, and to agree upon Means to raise a fit Sum of Money for this necessary and important Purpose, and in the mean Time our Frontier Inhabitants may be greatly distressed, if not speedily assisted; we desire your Concurrence to an Ordinance for the Payment of Five Hundred Pounds, by the Commissioners of the Loan-Office, to his Excellency the Governor, to be by him laid out and disposed of, for the Protection and Security of the said Inhabitants; and also, to enable him to pay to any the Inhabitants of this Province, who have or shall kill and scalp, or take alive, any Indian Enemy, the Sum of Ten Pounds Current Money; and we will take proper Measures in our Bill for replacing the said Sum, that the Credit of our Currency may not be thereby affected.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, by Major Hall and M.^r Williamson.
The House adjourns till the Morrow Morning at 9 of the Clock.

March 6

Saturday Morning, 6th March, 1756.

The House met according to Adjournment, The members were called and all appeared as Yesterday, except Col. Tilghman (absent through Sickness), M.^r B. Mackall, Capt. Jordan, M.^r Tolley, M.^r Smith, and M.^r Fraser.

M.^r Bordley appeared in the House.

M.^r Edmondson, M.^r Tilghman, and M.^r Edge, have Leave of the House to go home.

His Excellency communicated to M.^r Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

p. 185 Inclosed you have an Account how the Six Thousand Pounds, that was granted by the last Assembly, for his Majesty's Service, has been expended; as I have not Time to examine Colonel Cresap's Accounts, I must desire your Committee to do it, and have ordered him to attend for that Purpose. Herewith you also receive the Journals of Captains Beall, Ridgely, and Beall, who, in Obedience to my Orders, on the Alarm in October last, marched with Parties of the Militia from Prince-George's, Anne-Arundel, and Frederick Counties, to range on the Western Frontiers, for the Protection of the Inhabitants: Their Services I recommend to your Consideration, and hope you will not be averse to rewarding them.

5th of March 1756

Hor.^o Sharpe.

5:th of March 1756

L. H. J.
Liber No. 48
March 6

Col. Tasker, from the Upper House, delivers to M.^r Speaker the following Message, viz.

By the Upper House of Assembly, March 6, 1756.

Gentlemen,

In Answer to your Message of Yesterday, by Mess.^{rs} Hall and Williamson, this House is willing that an Ordinance of both Houses be made for the Payment of Five Hundred Pounds Current Money, by the Commissioners of the Loan-Office, to his Excellency the Governor, to be by him disposed of for the immediate Protection and Security of the Inhabitants on the Frontiers; and also, to enable him to pay any of the Inhabitants of this Province who have, or shall kill and scalp, or take alive, any Indian Enemy, the sum of Ten Pounds Current Money.

Signed per Order, J. Ross, Cl. Up. Ho.

Major Hall, from the Committee of Laws, brings in and delivers to M.^r Speaker the following Ordinance, viz.

For the immediate Defence and Protection of the Frontier Inhabitants of this Province, from the Cruelties and Depredations of the Indians, It is ordained by his Excellency the Governor, and the Upper and Lower Houses of Assembly, That the Commissioners or Trustees, for emitting the Bills of Credit, established by Act of Assembly, shall pay to his Excellency the Governor or his Orders, the Sum of Five Hundred Pounds Current Money, out of the Public Monies now in their Hands, to be by him laid out and disposed of, as well in the fulfilling and performing his Engagements with the parties raised by his Command by the Lieutenants Baker and Shelby, and for the Payment of the Sum of Ten Pounds Current Money to any of the Inhabitants of this Province or Friend Indian who have, or shall kill and scalp, or take alive, any Indian Enemy, as for the further securing and defending the said Frontier Inhabitants in such Manner as to him shall seem expedient; and that the said Commissioners or Trustees charge such Payment in a particular and distinct Account, to be kept by them for that Purpose.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker; and was sent to the Upper House by M.^r Charles Goldsborough and Col. Henry.

Ordered, That M.^r Bordley be added to the Committee for en-
quiring into Ways and Means to raise Money for his Majesty's
Service. p. 186

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

L. H. J. M.^r Lloyd, from the Committee of Laws, brings in and delivers
 Liber No. 48 to M.^r Speaker the following ingrossed Address, viz.
 March 6

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.
 May it please your Excellency,

By the Petitions and Depositions that accompanied your Excellency's Message of the second Instant, we perceive the Necessity you were under of ordering Companies of Twenty Men each, under the Command of Lieutenants Baker and Shelby, to be raised and sent to the Frontiers, for the immediate Protection of those Inhabitants; and being persuaded that your Excellency did it on a Dependence that the Assembly would make Provision to enable you to comply with the Engagement you entered into for the Payment of those Men; and as we judge it expedient to give some further Encouragement to those Men, or any others, by rewarding them for the Scalps of such Indian Enemies as they may kill, or for Indian Enemies taken alive; we have, in Conjunction with the Upper House, entered into an Ordinance for taking Five Hundred Pounds out of the Loan-Office, to be paid to your Excellency, for the Purposes aforesaid, as the speediest Method of proceeding to encourage the back Inhabitants to exert themselves, until the Bills, now preparing, be passed into Laws, for the more effectual Security of our Frontiers, in which we hope ample Provision will be made for our own Defence, and the defeating the Designs of our Enemies.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Murdock and M.^r Waggaman do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That Major Hall and Col. Henry do present the Address.
 The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The House adjourns until Monday Morning at 9 of the Clock.

March 8
 p. 187

Monday Morning, 8th March, 1756.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except M.^r Reynolds, M.^r

Matthew Tilghman, M.^r Edmondson, M.^r Edge, M.^r Earle, and M.^r Bracco.

L. H. J.
Liber No. 48
March 8

M.^r Reeder, Capt. Fraser, and Col. Fitzhugh, appeared in the House.

The Proceedings were read.

The Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I herewith lay before you some Papers that I Yesterday received from the Northward; as they will sufficiently explain to you the General's Intention, I shall make no Observation thereon; but entertain the most sanguine Hopes that you will not delay to make such Provision as is requisite for the Services now particularly recommended to you.

8th March 1756

Hor.^o Sharpe.

Which was read, and ordered to lie on the Table.

The House adjourns till the Morrow Morning 9 of the Clock.

Tuesday Morning, March 9, 1756.

March 9

The House met according to Adjournment, &c.

M.^r Reynolds appeared in the House.

On Consideration of his Excellency's Message of the 6th Instant: Ordered, That Col. Fitzhugh, M.^r Sprigg, M.^r Baker, M.^r Casson, and M.^r Beall, be a Committee to enquire into the Accounts of Colonel Cresap, referred to by his Excellency's Message, and that they make Report thereof to the House.

On Motion, That a Bill be brought in, For the Adjournment of Frederick County Court; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

M.^r Lloyd is added to the Committee appointed to enquire into Ways and Means for raising Money for his Majesty's Service.

M.^r Charles Carroll, a Delegate returned for Anne-Arundel County, appeared in the House. Ordered, That Major Hall and M.^r Addison do go with him to the Upper House to see him qualified: They return and acquaint M.^r Speaker they saw him qualified in the usual Manner.

The Gentleman took his Seat in the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r B. Mackall, M.^r Edge, M.^r M. Tilghman, and M.^r Earle, appeared in the House.

L. H. J.
Liber No. 48
March 9
p. 188

M.^r Baker hath Leave to go home.

M.^r Carroll is added to the Committee of Laws.

M.^r Crabb brings in and delivers to M.^r Speaker a Bill entituled, An Act for the Adjournment and Continuance of Frederick County Court; which was read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by M.^r Stoddert and M.^r Chapline.

On reading and considering his Excellency's Message of Yesterday, the Question was put, and Unanimously Resolved, That the £15,000 Reported by the Committee of the whole House, to be raised for carrying on the Plan of Operations to the Northward, be applied to the carrying on an Expedition to the Westward.

On Motion, Resolved, That an Address be prepared to his Excellency in Answer to his Message of Yesterday.

Ordered, That the Committee of Laws do prepare and bring in an Address accordingly.

The House adjourns till the Morrow Morning at 8 of the Clock.

March 10

Wednesday Morning, 10th March, 1756.

The House met according to Adjournment, &c.

M.^r Bracco appeared in the House.

Ordered, That M.^r Bracco and M.^r Williamson be added to the Committee for enquiring into the Accounts of Colonel Cresap.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Capt. Jordan appeared in the House.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for the Adjournment and Continuance of Frederick County Court; indorsed, By the Upper House of Assembly, March 10, 1756: Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

The House adjourns until the Morrow Morning at 9 of the Clock.

March 11

Thursday Morning, 11th March, 1756.

The House met according to Adjournment, &c.

M.^r Tolley and M.^r Smith appeared in the House.

The House adjourns till 2 of the Clock Afternoon.

p. 189

Post-Meridiem.

L. H. J.
Liber No. 48
March 11

The House met according to Adjournment, &c.

Philip Hammond, Esq; from the Committee appointed to enquire into Ways and Means to raise Money for his Majesty's Service, brings in and delivers to M.^r Speaker the following Report, viz.

By the Committee appointed by the Honourable the House of Delegates to enquire into Ways and Means to raise Money for his Majesty's Service.

Your Committee having duly considered the Matter referred to them, do humbly propose, That the Sum of £4015..6 in signed Bills in the Office, and never yet emitted, be put into immediate Circulation: That a further Sum arising from Money received or to be received for Principal of and Interest on Bonds paid or to be paid into the said Office, be borrowed from thence, to the Amount of £5984..14 And that the Sum of Thirty Thousand Pounds, to compleat the Forty Thousand Pounds (voted for his Majesty's Service) be raised by a new Emission of Bills or Notes of Credit, to pass Current in all Payments, which Bills, so put into Circulation, Money borrowed, and Bills or Notes of Credit emitted, be replaced, repaid, and sunk, in Five Years, by the following Duties, Taxes, and Impositions, to wit,

An Excise of 4 d. ꝑ Gallon on all Rum and Spirits imported or brought into this Province, and on all Rum distilled in this Province; Ditto of 2 d. ꝑ Gallon on all retailed Spirits distilled in this Province from Peaches, Cyder, Rye, Wheat, Barley, or any Grain or Fruit of the Growth of this Province,.....	5000 00 0
An Assessment of £3 ꝑ Annum on Billiard Tables...	63 00 0
A Duty of 40 s. on each Horse, Mare, or Gelding, brought into and sold in this Province,.....	40 00 0
An additional Duty of 20 s. on Negroes imported or brought into this Province,.....	50 00 0
An Excise of 4 d. ꝑ Gallon on Madeira Wine imported or brought into this Province,.....	50 00 0
An Excise of 6 d. ꝑ Gallon on all other Wines imported or brought into this Province, except from Great-Britain,	100 00 0
Duty of 1 s. 6 d. ꝑ Barrel on all Pitch and Turpentine imported or brought into this Province; Duty of 1 s. ꝑ Barrel on all Tar imported or brought into this Province,	10 00 0
A Tax of 12 d. ꝑ Hundred Acres on Lands, and so pro Rate,	2000 00 0
Ditto of 12 d. ꝑ Hundred Acres, over and above the aforesaid 12 d. on all Lands held by Papists, and so pro Rate,.....	200 00 0

L. H. J. Liber No. 48 March 11	Upon any Land Warrant put into the Hands of the	
	Surveyor, and Survey made of vacant Lands for	
	100 Acres or less, 1 s. and for every 10 Acres, over	20 00 0
	and above 100 Acres, 1 d.	
	Licences for Marriage, 5 s. each,	100 00 0
	Every Writ of Error, Appeal, Habeas Corpus, or Cer-	
	tiorari, 2 s. 6 d.	3 00 0
	Every Writ of Entry for disseisin en le post, 5 s.	10 00 0
	Every Indenture, Lease, or Deed-poll, recorded, 1 s.	50 00 0
	Every original Writ issued out of the Court of Chan-	
	cery, except Writs of Entry, 1 s.	1 00 0
	Every Subpœna issuing out of the Court of Chancery,	
	1 s.	1 00 0
	Every Capias ad respondendum issuing out of the	
	Provincial Court, 1 s.	10 00 0
	Every Capias ad respondendum issuing out of the	
	County Courts, 6 d.	140 00 0
	Every Citation issuing out of the Prerogative Court,	
	1 s.	5 00 0
	Every Charter-party, Bond, Bill, or other obligatory	
	Instrument, under the Seal of the Party, Protest, or	
	other notorial Act, 6 d. and every Letter of Attorney,	100 00 0
	6 d.	
		<hr/>
		£7953 00 0

Which several Duties, Impositions, and Taxes, amounting per Annum to the Sum of £7953 will, in Five Years, clear of Commission for Collection, nett £37,775 and as the several Duties, Impositions, and Licences, mentioned in an Act of Assembly entitled, An Act for his Majesty's Service, made at a Session of Assembly, begun and held at the City of Annapolis the 17th Day of July, 1754, will, we presume, be disengaged in about Three Years Time, 'tis proposed that the Duties, &c. in that Act be continued from and after the several Purposes of the said Act, and the Acts therein mentioned, be fully answered, compleated, and fulfilled, until the Forty Thousand Pounds, by the Ways and Means aforesaid, and by the Continuance of that Act, be repaid, replaced, and sunk, and until the End of the next Session of Assembly that shall thereafter happen.

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Thomas Johnson, jun^r, Cl.

Which Report was read, and ordered to lie on the Table.

On Motion, Ordered, That no Public Claims be received by the Committee of Accounts after next Tuesday, being the 16th Instant.

Ordered, That the Journal of Accounts be closed on next Wednesday, being the 17th Instant.

L. H. J.
Liber No. 48
March 11
p. 190
p. 191

Philip Hammond, Esq; from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

The House adjourns until the Morrow Morning at 9 of the Clock.

Friday Morning, 12th March, 1756.

March 12

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r J. Mackall.

On reading the Report, brought in from the Committee appointed to consider of Ways and Means to raise Money for his Majesty's Service, the Question was put, Whether an additional Duty of 2 d. per Gallon shall be laid on home-made Spirits, or Not? Resolved in the Negative.

For the Negative,

J. Reeder,	J. Goldsborough,	Murdock,
Williamson,	Edmondson,	Fraser,
Hall,	Edge.	Hawkins,
Reynolds,	Gray,	Bordley,
B. Mackall,	C. Goldsborough,	Scarborough,
Smallwood,	Paca,	J. Henry,
Stoddert,	Tolley,	Evans,
Handy,	Smith,	Beall,
Dennis,	Addison,	Sprigg. [27]

For the Affirmative,

Mills,	Jordan,	Dulany,
Hynson,	Waggaman,	Lloyd,
Wallis,	M. Tilghman,	Casson,
Hammond,	Govane,	Bracco,
Carroll,	Earle,	Crabb,
Fitzhugh,	Ward,	Chaplin. [18]

The Question was put, Whether a Duty of 2^d. per Gallon be laid on all retailed Spirits distilled in this Province from Peaches, Cyder, Rye, Wheat, Barley, or any Grain or Fruit of the Growth of this Province, or Not Resolved in the Affirmative.

L. H. J.
Liber No. 48
March 12

For the Affirmative,

Mills,	Stoddert,	Fraser,
Hynson,	Jordan,	Hawkins,
Williamson,	Dennis,	Dulany,
Wallis,	Waggaman,	Lloyd,
Hammond,	M. Tilghman,	Casson,
Hall,	Earle,	Scarborough,
Carroll,	Ward,	J. Henry,
B. Mackall,	Govane,	Crabb,
Smallwood,	Murdock,	Chapline. [27]

For the Negative,

J. Reeder,	Edge,	Addison,
Fitzhugh,	Gray,	Bordley,
Reynolds,	C. Goldsborough,	Bracco,
Handy,	Paca,	Evans,
J. Goldsborough,	Tolley,	Beall,
Edmondson,	Smith,	Sprigg. [18]

The Question was put, Whether One Shilling shall be raised upon every Land Warrant (put into the Hands of the Surveyor, and Survey made of vacant Lands) for 100 Acres or less, and One Penny for every 10 Acres over and above 100 Acres, or Not Resolved in the Affirmative.

For the Affirmative,

Mills,	Waggaman,	Addison,
Hynson,	J. Goldsborough,	Murdock,
Williamson,	M. Tilghman,	Fraser,
Wallis,	Edmondson,	Hawkins,
Hammond,	Edge,	Bordley,
Hall,	Gray,	Dulany,
Carroll,	C. Goldsborough,	Lloyd,
B. Mackall,	Paca,	Casson,
Smallwood,	Tolley,	Bracco,
Stoddert,	Govane,	Scarborough,
Jordan,	Smith,	J. Henry,
Handy,	Earle,	Evans. [38]
Dennis,	Ward,	

p. 192

For the Negative,

Crabb,	Beall,	Sprigg.
Chapline,		[4]

The Question was put, Whether there shall be a Duty laid on all Iron exported out of this Province, or Not. Resolved in the Negative. L. H. J. Liber No. 48 March 12

For the Negative,

Mills,	Carroll,	Murdock,
Hynson,	Handy,	Bordley,
Wallis,	Dennis,	Dulany,
Williamson,	Waggaman,	Lloyd,
Tolley,	J. Goldsborough,	Casson,
Govane,	M. Tilghman,	Bracco,
Smith,	Edmondson,	J. Henry,
Earle,	Edge,	Crabb,
Hall,	C. Goldsborough,	Beall. [27]

For the Affirmative,

T. Reeder,	Addison,	Jordan,
J. Reeder,	Fraser,	Hawkins,
Hammond,	Reynolds,	Scarborough,
Fitzhugh,	B. Mackall,	Evans,
Gray,	Smallwood,	Chapline,
Ward,	Stoddert,	Sprigg. [18]

The Question was put, Whether there shall be a Duty of 2^d. per Gallon on all Rum and Spirits imported in Country Bottoms, or Not Resolved in the Negative.

For the Negative,

Mills,	Handy,	Fraser,
Hynson,	Dennis,	Bordley,
Williamson,	Waggaman,	Dulany,
Wallis,	M. Tilghman,	Lloyd,
Hammond,	C. Goldsborough,	Casson,
Hall,	Tolley,	Scarborough,
Carroll,	Smith,	J. Henry,
Fitzhugh,	Govane,	Evans,
Reynolds,	Earle,	Crabb,
B. Mackall,	Ward,	Chapline,
Stoddert,	Murdock,	Beall. [33]

For the Affirmative,

Reeder,	Edmondson,	Hawkins,
Smallwood,	Edge,	Bracco,
Jordan,	Gray,	Sprigg.
J. Goldsborough,	Addison,	[11]

L. H. J.
Liber No. 48
March 12

On a full Reading of the Report from the Committee appointed to consider of Ways and Means, &c. the House concurs therewith.
The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On Reading and Considering the Report by the Committee from the Paper Currency Office, &c. the House concurs therewith.

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

p. 193 May it please your Excellency,

We have taken into Consideration your Excellency's Message of the Eight Instant, and the Papers therewith laid before us, and cannot omit this Opportunity of congratulating your Excellency on the Receipt of your Commission, and acknowledging the Satisfaction it gives us, as we are fully convinced of your Excellency's Resolution steadily to pursue the great and desirable Work of prosecuting his Majesty's Intentions to restore Peace and Security to these his Dominions: And beg Leave to assure your Excellency we will, with the greatest Chearfulness and Expedition, endeavour, by the best and most easy Methods, effectually to raise the Supplies necessary for that important Service.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Bordley and M.^r Carroll do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker that the Governor was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That M.^r John Goldsborough and M.^r Edmondson do present the Address.

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker an ingrossed Bill entituled, An Act for the Adjournment and Continuance of Frederick County Court; which was read and assented to, and sent to the Upper House, with the Paper Bill, by M.^r Chaplin and M.^r Beall.

On Motion, Leave given to bring in a Bill For raising the Sum of £40,000 for his Majesty's Service Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until the Morrow Morning at 9 of the Clock.

Saturday Morning, 13th March, 1756.

L. H. J.
Liber No. 48
March 13

The House met according to Adjournment, &c.

M.^r Hynson, M.^r Wallis, M.^r Ward, M.^r Handy, M.^r Waggaman, M.^r John Goldsborough, Col. Henry, M.^r Casson, and M.^r Charles Goldsborough, have Leave of the House to go home.

The Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

Inclosed you have Governor Dinwiddie's Answer to a Letter that I sent him on the Subject of your Addresses of the first and third Instant.

13.th March 1756

Hor.^o Sharpe.

And the following Letter,

Williamsburg, March 8, 1756.

Sir,

The Commissioners to the Catawbas and Cherokees have been gone a Month; when they return, shall give you a true Account of their Transactions with those People. I have some Hopes they will supply us with 1000 Men, who must be paid and supported by the neighbouring Colonies.

The Cherokees that came into Augusta about three Months ago, with 230 of our Rangers, are gone to attack the Shawnese in their Towns: I wish them Success, and on their Return shall give you an Account of what has been done by them. p. 194

We are intirely in want of Arms; none are sent here from his Majesty: Our Agent says there are 6000 sent to New-England, to be distributed among the Colonies; they would have come sooner to hand if sent from London. I have wrote General Shirley the great want we are in, and desired to be supplied if in his Power. I am glad your Assembly has voted £40,000 and wish our Assembly may be prevailed on to grant a handsome Sum. They meet the 25th.

I am sorry for that Part of your Letter, that the French intend to attack Oswego this Winter, and hope the Intelligence is groundless; but I fear we have not Men sufficient there to defend the Place.

I would gladly hope that the Operations for these Southern Colonies should be to the Ohio; if they did not succeed in taking the Fort, they would make a very good Diversion, by hindering them on the Ohio from marching to Niagara; and I fear it's impossible to prevail with our People to go to Albany.

There are four Brass Cannon, of 12 Pounders, with all their Appurtenances, landed here. General Shirley ordered them to New-York, but I stopt them till I hear from him, as they will be greatly

L. H. J.
Liber No. 48
March 13

wanted, if we make any Attempt the other Side of the Allegany Mountains in the Summer.

I send you a Book and a small Bottle left with me for you.

I am, with great Respect and Esteem,

Your Excellency's

Most humble and obedient Servant,

Rob:^t Dinwiddie.

P. S. Pray have you any Account of Col. Cornwallis's being appointed to command in Chief? I have sent, by the Commissioners, to the Catawbias and Cherokees, Goods to the Amount of £1000 for a Present.

Gov^r Sharpe

Col. Tasker, from the Upper House, delivers to M.^r Speaker the Paper Bill entituled, An Act for the Adjournment and Continuance of Frederick County Court; indorsed, By the Upper House of Assembly, March 13, 1756. The ingrossed Bill, whereof this is the Original, is read and assented to.

Signed per Order, J. Ross, Cl. Up. Ho.

Samuel Chamberlaine and Benedict Calvert, Esquires, from the Upper House, acquaint M.^r Speaker that the Governor requires the Attendance of the Lower House immediately in the Upper House.

p. 195 M.^r Speaker left the Chair, and with the Members of the Lower House went to the Upper House, and there presented to his Excellency the ingrossed Bill entituled, An Act for the Adjournment and Continuance of Frederick County Court; which his Excellency passed into a Law in the usual Manner.

M.^r Speaker with the Members of the Lower House returned and re-assumed the Chair.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The House adjourns until Monday Morning at 9 of the Clock.

March 15

Monday Morning, 15th March, 1756.

The House met according to Adjournment: The members appeared as on Saturday, except M.^r J. Reeder, Major Hynson, M.^r Wallis, M.^r Handy, M.^r Waggaman, M.^r J. Goldsborough, M.^r Paca, M.^r Ward, M.^r Casson, Col. J. Henry, Capt. Crabb, and Capt. Sprigg.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.
Liber No. 48
March 15

The House met according to Adjournment, &c.

Capt. Gassoway appeared in the House.

The House adjourns until the Morrow Morning at 9 of the Clock.

Tuesday Morning, 16th March, 1756.

March 16

The House met according to Adjournment, &c.

M.^r Reynolds hath Leave to go home.

The Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

The late Inhabitants of Nova-Scotia, mentioned in the inclosed Letter, have, by the Advice of his Lordship's Council, been divided and distributed to every Part of the Province, except Frederick County: Most of them are, at present, entertained in such Gentlemens Families as Charity inclined to receive them; it remains with you to dispose of them otherwise, or provide for their Support as you shall judge proper. A Number of them that were put on Shore at Oxford, and in Somerset County, were, till their Separation, supplied with Provisions and some Necessaries by M.^r Callister and Capt. Lowes, as you will learn from those Gentlemens Accounts, which they desire me to lay before you, hoping that you will reimburse them the Expences they have been at, as well as discharge Mr. Middleton's Bill for carrying some of those People from Annapolis to Baltimore by my Order. I must also recommend it to you to repay the Officers of the Militia of Cæcil, Kent, and Frederick Counties, what they expended on the Alarm in November last, when it was believed, in those Counties, that a large Body of Indians were advancing toward the Center of the Province. The Bundle of Letters and Papers herewith sent will shew you, how much each of those Gentlemen expended, what induced them to do so, and persuaded them that the Safety of the Province indispensably required it.

16th March 1756

Hor.^o Sharpe.

Which was read, and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

p. 196

Post-Meridiem.

The House met according to Adjournment, &c.

Major Hynson, M.^r Wallis, and M.^r Ward, appeared in the House.

On Motion, the Question was put, Whether the Tax mentioned in the Report, by the Committee of Ways and Means, to be laid on Marriage-Licences, shall be altered, or Not? Resolved in the Negative.

L. H. J.
Liber No. 48
March 16

	For the Negative,		
Reeder,	Smallwood,	Fraser,	
Mills,	Stoddert,	Hawkins,	
Hynson,	Gray,	Bracco,	
Williamson,	Tolley,	Scarborough,	
Wallis,	Govane,	Evans,	
Hammond,	Smith,	Beall.	
Gassaway,	Ward,		
Carroll,			21

	For the Affirmative,		
Hall,	Dennis,	Earle,	
Fitzhugh,	M. Tilghman,	Murdock,	
B. Mackall,	Edge,	Dulany,	
Jordan,	C. Goldsborough,	Lloyd,	[12]

The House adjourns until the Morrow Morning at 9 of the Clock.

March 17

Wednesday 17:th March 1756

The House met According to Adjournment &c.

All the Members Appeared as yesterday except M.^r Reynolds
M.^r John Reeder Jun.^r Appeared in the House.

Col.^o Addison from the Committee Appointed to Inspect the
Arms and ammunition &c.^a Brings in and Delivers to M.^r Speaker
the following Report Viz.^t

By the Committee Appointed to Inspect the Arms and Ammuni-
tion and Accounts Relating thereto March 15.th 1756

Your Committee haveing Inspected the arms and Ammunition in
the City of Annapolis find that there are in the possession of the
Armerour the following Arms and Ammunition to wit Eighty Eight
bright hilted swords. one hundred and Twenty eight Black hilted
D.^o Six Black hilted D.^o Broken. four half Basket D.^o thirty nine
Bayonets one hundred and four pistols, one Ditto without a Lock
Thirty two good Trumpets Nineteen good Drums Six Broken D.^o
twenty four pair of Drums Nineteen slings forty six Buckets Nine-
teen pikes, nine new half pikes Twenty four halberts one Broken
D.^o, eighteen Daggers a Box of old Scabbards forty Twin Carbine
slings two hundred and nine sword Belts three and a half Chests
of Match, thirty three pair of Holsters twenty five new Cartouch
Boxes seventy two old D.^o 3 Quarters of a Box of flints Sixteen
Cutlasses twenty new leather Belts twenty one Muskets fifteen Car-
bines twelve Broken Ditto eighteen new Muskets With Bayonets,
Six Broken D.^o with Bayonets, thirty new Musquets Without Bayo-
nets eighteen Broken Ditto one new Carbine one hundred and

Twenty four old Carbines Seventy two old Broken Muskets three Thousand and Forty pounds of mixt Ball four Thousand one hundred and seventy five pounds of Musquet Ball three Hundred and three pounds of swan Shot Six hundred and twenty five pounds of Bar lead, Sixteen Barrells of new powder four Barrells of old three Ditto not fit for use fifteen peices of new Cannon fixed in wood wanting Aprons which we Conceive will Damage them much ten peices of old Cannon lying on the point.

L. H. J.
Liber No. 48.
March 17
p. 197

Your Committee Beg leave to Inform you that the fire locks and pistols in General are unfit for service owing Intirely to the Neglect and Incapacity of the Armourer your committee also find that there are the following Arms and Ammunition out in the Countrys service as p the Armourers Account Viz.^t June 14th 1754 one Drum to William Butterfield for the use of the County Court one hundred and five new Arms to Cap.^t Dagwortys Company with slings Cartouch Boxes and Bayonets 17.th July 1755 fifty new fire locks Slings Cartouch Boxes and Bayonets, to the Bladensburg Independents 21st July 1755 one hundred New firelocks Slings Cartouch Boxes and Bayonets to Frederick 22^d July 1755 Twenty eight new firelocks To Frederick with slings Cartouch Boxes and Bayonets 14th July 1754 eighteen fire locks and Cartouch Boxes to Col^o Innis in Virginia 21st June 1754 three half Barrells of Gunpowder and Twenty Cags of Musquet Ball sent to Frederick four Drums and sticks four Halberts and four Barbines Bayonets and slings six hundred weight of Musquet and Carbine Ball and Thirty pound of Gunpowder for Captain Dagworthys Company Nov^r 14th 1754 one Drum for the Frederick Town Company June 5th 1755 two half Basket Brass hilted swords to Hopkins and Calder June 16.th 1755 one Drum to Col.^o Hammond Regiment 15.th July two half Barrells of Gunpowder four Cags of Musquet and Carbine Ball to Frederick fifty six old musquets and fourteen New Carbines Bayonets slings and Cases to the Town Militia four old Carbines to D.^r Stewarts Company, half a Barrell of Gunpowder, Seventy Seven weight of Lead two Cags of Musquet Ball two Halberts two Drums and eight Kanteens Sent to Frederick for Lieutenant Stoddert Delivered 22^d July 1755. July 24th three Halberts and one Drum to Cap.^t Belts Company at the western Branch. Sep.^r 2.^d one Drum to Captain Callisters Company at Oxford Octo:^r 25 Twenty old Musquets ten pound of powder and Six Hundred Musquet Ball Delivered to Thomas Mills for the Back parts of Frederick October 29.th twenty fire locks old Twenty five pound of Bar lead to the Baltimore Volunteers By order of the president Nov.^r 4 one hundred pound of Bar lead half a Barrell of Gunpowder to Col^t Richard Loyds Regiment by order of the presedent November 6th three half Barrells of Gunpowder five Hundred weigh of Grape shot and Carbine Ball Received of Henry Stevenson by order of the presedent for the

p. 198

L. H. J. Baltimore Militia Nov.^r 10th Delivered to William Cummings for
 Liber No. 48 the use of the Volunteers under the Command of Col.^o Veizy fifteen
 March 17 firelocks slings Cartouch Boxes and Bayonets half a Barrell of Gun-
 powder and fifty pound Bar Lead one hundred pounds of Musquet
 Ball December 5th four Musquets old forty pounds of Bar lead and
 twelve pound of powder Delivered to Daniel Dulany By order of
 the presedent February 9:th 1756 twenty eight Musquets and Bayo-
 nets two half Barrells of powder one Cagg of Musquet Ball and
 thirty pounds of Bar Lead Delivered to Isaac Baker of Frederick
 County by order of the Governor. All Which is submitted to your
 Honourable House.

(Signed p order)

John Duckett Clk Com.

Which was Read & ordered to lye on the Table

The following Ingrossed Address Viz^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander
 in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

p. 199 As, in these Times of Public Calamity, when our utmost Efforts
 are no more than necessary for his Majesty's Service and our
 Defence against our Enemies, a thorough Knowledge of the State
 of our Commerce seems highly expedient, to guide us in our Delibera-
 tions about Ways and Means of raising Money for those important
 Purposes; we humbly request your Excellency to order the proper
 Officers to lay before us, with the greatest Dispatch they conveniently
 can, Accounts of the Imports and Exports of every Kind, agreeable
 to the Reports made to them, for Five Years past, ending at the
 First Day of January last; and should it be inconvenient to them to
 render such Accounts this present Session, we desire they may be
 directed to prepare them against the next Meeting of the Assembly.

Was read and assented to, and signed, by Order of the House, by
 the Honourable Speaker.

Ordered, That Col. Fitzhugh and Capt. Jordan do acquaint his
 Excellency, That this House hath prepared an Address, to be pre-
 sented to him, and desires to know when and where he will please
 to receive it: They return and acquaint M.^r Speaker, that the Gov-
 ernor was pleased to signify he would receive the Address imme-
 diately in the Conference Chamber.

Ordered, That Capt. Stoddert and M.^r Mills do present the Ad-
 dress to his Excellency.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.
Liber No. 48
March 17

The House met according to Adjournment, &c.

The House adjourns till the Morrow Morning at 9 of the Clock.

Thursday, 18th March, 1756.

March 18

The House met according to Adjournment, &c.

M.^r Casson appeared in the House.

The Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I yesterday received a Letter from Virginia, wherein Governor Dinwiddie advises me, that his Majesty's Ship the Garland arrived there a few Days ago with Three Prizes, which she had taken off Hispaniola: Capt. Arbuthnot was informed that a French Frigate, of 26 Guns, with a great many Land-Officers on board, lately touched at Hispaniola, in her Way to the Mississippi; those Officers, it is supposed, were sent to command the Troops that have been transported from Old France to New Orleans; and with them, and their allied Indians, to make an Attempt, very probably this Summer, on one of these Southern Colonies.

18th March 1756

Hor.^o Sharpe.

The House adjourns till 2 of the Clock Afternoon.

p. 200

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Handy and Col. John Henry appeared in the House.

The House adjourns till the Morrow Morning at 9 of the Clock.

Friday, 19th March, 1756.

March 19

The House met according to Adjournment, &c. All the Members appeared as Yesterday, except M.^r Bracco and M.^r Tolley.

M.^r Benjamin Handy, a Delegate returned for Worcester County, appeared in the House. Ordered, That Col. Henry and Col. Scarborough do go with him to the Upper House to see him qualified: They return and acquaint M.^r Speaker they saw M.^r Handy qualified in the usual Manner.

The Gentleman took his Seat in the House.

The House adjourns until 2 of the Clock Afternoon.

L. H. J.
Liber No. 48
March 19

Post-Meridiem.

The House met according to Adjournment, &c.
Capt. Waggaman and M.^r Reynolds appeared in the House.
The House adjourns until the Morrow Morning at 9 of the Clock.

March 20

Saturday, 20th March, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except Col. Fitzhugh, Col. Addison, and M.^r Beall.

M.^r Baker appeared in the House.

M.^r Lloyd, M.^r Chapline, and M.^r Gray, have Leave of the House to go home.

On Motion, Leave given to bring in a Bill For the Adjournment and Continuance of Queen-Anne's County Court: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for the Adjournment and Continuance of Queen-Anne's County Court; which was read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by M.^r Casson and M.^r Baker.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.
The House adjourns until Monday Morning at 9 of the Clock.

March 22

Monday, 22^d March, 1756.

p. 201 The House met according to Adjournment: All the Members appeared as on Saturday, except M.^r Reeder, M.^r Hammond, M.^r Matthew Tilghman, M.^r Edge, M.^r Gray, and M.^r Lloyd.

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for the Adjournment and Continuance of Queen-Anne's County Court; indorsed, By the Upper House of Assembly, March 22, 1756. Read the first and second Time by an especial Order, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

Major Hall, from the Committee of Laws, brings in and delivers to M.^r Speaker an ingrossed Bill entituled, An Act for the Adjournment and Continuance of Queen-Anne's County Court; which was

read and assented to, and sent to the Upper House, with the Paper Bill, by M.^r Casson and M.^r Benjamin Handy.

L. H. J.
Liber No. 48
March 22

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker the Paper Bill entituled, An Act for the Adjournment and Continuance of Queen Anne's County Court; indorsed, By the Upper House of Assembly, March 22, 1756. The ingrossed Bill, whereof this is the Original, is read and assented to.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r J. Mackall, M.^r J. Goldsborough, Capt. Tolley, M.^r Beall, Capt. Crabb, and Capt. Sprigg, appeared in the House.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

As it may possibly be some Time before the Bill, which you are preparing, in Consequence of a Vote for granting a Sum of Money, for his Majesty's Service, can be enacted into a Law, I must recommend it to you to make some farther Provision immediately for the Support of the several Parties of Men that are ordered to range on the Western Frontiers, for the Protection of the Inhabitants.

March 22, 1756

Hor.^o Sharpe.

Which was read, and ordered to lie on the Table.

p. 202

Samuel Chamberlaine, Esq; and Col. Benjamin Tasker, from the Upper House, acquaint M.^r Speaker that the Governor requires the Members of the Lower House to attend him immediately in the Upper House.

M.^r Speaker left the Chair, and (with the Members of the Lower House) went to the Upper House, and presented to his Excellency the ingrossed Bill entituled, An Act for the Adjournment and Continuance of Queen-Anne's County Court; which his Excellency passed into a Law in the usual Manner.

M.^r Speaker (with the Members of the Lower House) returned and re-assumed the Chair.

The House adjourns until the Morrow Morning at 9 of the Clock.

Tuesday, 23^d March, 1756.

March 23

The House met according to Adjournment, &c.

M.^r Lloyd and Col. Tilghman appeared in the House.

L. H. J.
Liber No. 48
March 23

On Motion, Ordered, That M.^r Speaker do forthwith issue his Warrant to the Deputy Secretary of this Province, to make out a Writ of Election, directed to the Sheriff of Charles County, to elect a Delegate or Burgess to serve in the General Assembly of this Province, now sitting, in the Room of M.^r Henry Moore, who, since his being elected a Delegate for the said County hath removed from this Province to reside in Virginia.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Matthew Tilghman and M.^r Edge appeared in the House.

Major Hall hath Leave to go home.

The House adjourns until the Morrow Morning at 9 of the Clock.

March 24

Wednesday, 24th, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except Major Hall.

Col. Fitzhugh, M.^r Bracco, and Col. Addison, appeared in the House.

p. 203 On Motion, Leave given to bring in a Supplementary Bill to the Act For amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees. Ordered, That Colonel Fitzhugh, M.^r Edge, M.^r J. Goldsborough, Col. J. Henry, and M.^r Stoddert, do prepare and bring in a Bill accordingly.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker a Petition of sundry of the Justices of Cæcil County; indorsed, By the Upper House of Assembly, March 24, 1756. Read and referred to the Consideration of the Lower House of Assembly; which Petition was here read and ordered to lie on the Table.

The House adjourns until the Morrow Morning at 9 of the Clock.

March 25

Thursday Morning, 25th March, 1756.

The House met according to Adjournment, &c.

M.^r Reeder, M.^r Hammond, Major Hall, and M.^r Gray, appeared in the House.

Capt. Smith hath Leave to go home; and M.^r Earle hath Leave to go home next Saturday.

L. H. J.
Liber No. 48
March 25

The Petition of sundry Justices of Cæcil County was read, and Leave given to bring in a Bill according to Prayer.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker a Petition of sundry of the Inhabitants of Cæcil County; indorsed, By the Upper House of Assembly, March 25, 1756. Read and referred to the Consideration of the Lower House of Assembly; which Petition was here read, and ordered to lie on the Table.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker a Petition of sundry Subscribers, in Behalf of themselves and sundry others, Inhabitants of Kent County; a Petition of Daniel Kennedy, of Frederick County; a Petition of Edward Dorsey and William Reynolds, of the City of Annapolis, Gentlemen; a Petition of Thomas Hollyday and Leonard Hollyday; a Petition of sundry Inhabitants of Kent County; a Petition of the Rector, Vestrymen, Church-Wardens, and sundry of the Inhabitants, of All-hallows Parish, in Worcester County; which Petitions were severally indorsed, By the Upper House of Assembly, March 11, 1756. Read and referred to the Consideration of the Lower House of Assembly. The aforesaid Petitions were severally read here, and ordered to lie on the Table.

p. 204

The House adjourns until the Morrow Morning at 9 of the Clock.

Friday 26th March, 1756.

March 26

The House met according to Adjournment: All the Members appeared as Yesterday, except Capt. Smith.

Col. Robert Jenckins Henry appeared in the House.

On reading the Petition of Leonard Hollyday, praying Leave to bring in a Bill To cut off the Entail of two Tracts of Land, the one called Buzzard Island, and the other the Addition thereto, as at present entailed on the Male Heirs of the said Leonard Hollyday, and to invest the Daughters of the said Leonard Hollyday with an Estate in Fee-Simple, in Case the said Leonard Hollyday shall have no Male Heir of his Body at the Time of his Death, the same was granted, and Leave given to bring in a Bill according to the Petitioners Prayer.

On reading the Petition of Edward Dorsey and William Reynolds, of Anne-Arundel County, Gentlemen, praying Leave to bring in a Bill To empower the Clerk of Anne-Arundel County Court to record, amongst the County Records, a Deed of Bargain and Sale from Thomas Larkin to John Jordan, late of Anne-Arundel County, deceased, which had been casually omitted to be recorded; the same was granted, and Leave given to bring in a Bill according to the Petitioners Prayer.

L. H. J.
Liber No. 48
March 26

The Petition of sundry Inhabitants of Kent County, &c. praying Leave to bring in a Bill To compel the Owners of Mills to make the Public Roads over their Mill-Dams convenient for Travellers, &c. was read and granted. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The Petition of Daniel Kennedy, of Frederick County, praying his Account for transporting of General Braddock's Soldiers and Wag-gons, &c. over Manockasy Ferry, to be allowed by a Public Charge of this Province, was read and rejected.

A Bill entituled, An Act to impower and direct the Clerk of Anne-Arundel County Court to record, among the said County Records, a Deed of Bargain and Sale from Thomas Larkin, deceased, to John Jordan, deceased, was read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by Capt. Gassaway and Mr. Reeder.

The House adjourns until 2 of the Clock Afternoon.

p. 205

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for the Continuance of Process in Cæcil County March Court, and to cure some Defects that may have happened in the Proceedings of the several County Courts of this Province, and for the explaining an Act of Assembly entituled, An Act appointing certain Days, on which the several and respective County Courts, within this Province, are to be held; was read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by Capt. Earle and M.^r Baker.

On Motion, the Question was put, Whether, in the Supplementary Bill to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, which is ordered by the House to be brought in, the Inspectors already qualified under the said Act, shall be compelled, by a Clause therein to be inserted, to serve for a reduced Salary, or Not Resolved in the Affirmative.

For the Affirmative,

T. Reeder,	Stoddert,	Lloyd,
J. Reeder,	Jordan,	E. Tilghman,
Hynson,	Dennis,	Bracco,
Williamson,	Waggaman,	Scarborough,
Hammond,	Edge,	J. Henry,
Reynolds,	Earle,	Evans,
B. Mackall,	Baker,	B. Handy.
Smallwood,	Ward,	

For the Negative.

L. H. J.
Liber No. 48
March 26

Mills,	J. Goldsborough,	Murdock,	
Wallis,	M. Tilghman,	Fraser,	
Hall,	Edmondson,	Hawkins,	
Gassaway,	Gray,	Crabb,	
Carroll,	Govane,	Beall,	
J. Mackall,	Addison,	Sprigg.	18

On reading the Petition of sundry of the Inhabitants of Cæcil County, the Question was put, and thereupon Resolved, That an Hearing be had on the said Petition on Friday the 9th Day of April next.

A Bill entitled, An Act to vest certain entailed Lands, therein mentioned, in the Female Heirs of Leonard Hollyday, Gentleman, in Fee-Simple, was read the first Time, and ordered to lie on the Table.

The House adjourns until the Morrow Morning at 9 of the Clock.

Saturday 27th March, 1756.

March 27

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Williamson, Col. Fitzhugh, and Capt. Earle. p. 206

The Bill entitled, An Act to vest certain entailed Lands, &c. in the Female Heirs of Leonard Hollyday, Gentlemen, &c. was read the second Time, and will pass; and was sent to the Upper House by M.^r Smallwood and M.^r Mills.

On Motion, Leave given to bring in a Bill For the Relief of such Persons (except Freeholders) who made no Tobacco last Year, and are otherwise incapable to discharge their Public Dues, Officers Fees, and private Debts. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

William Goldsborough, Esq; from the Upper House, delivers to M.^r Speaker the Bill entitled, An Act for the Continuance of Process in Cæcil County March Court, &c. the Bill entitled, An Act to empower and direct the Clerk of Anne-Arundel County Court to record, &c. a Deed of Bargain and Sale, &c. and the Bill entitled, An Act to vest certain entailed Lands, &c. in the Female Heirs of Leonard Hollyday, Gentleman, &c. severally indorsed, By the Upper

L. H. J. House of Assembly, March 27, 1756. Read the second Time, and
 Liber No. 48 will pass.
 March 27

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bills were severally read here, and passed for ingrossing.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shilling thereof in Bills of Credit, and raising a Fund for sinking the same, which was read the first Time, and ordered to lie on the Table.

The House adjourns until Monday Morning at 9 of the Clock.

March 29 Monday, 29th March, 1756.

The House met according to Adjournment: All the Members appeared as on Saturday, except M.^r Williamson, M.^r J. Mackall, Capt. Crabb, M.^r Hammond, M.^r Earle, and M.^r Reynolds.

The House adjourns till two of the Clock Afternoon.

Post-Meridiem.

p. 207 The House met according to Adjournment, &c.
 Major Hyland appeared in the House.

A Motion, for Leave to bring in a Bill For the Naturalization of Foreign Protestants, was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On Motion, Resolved, That the Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c. shall have the second Reading on Wednesday Morning next, being the 31st Instant.

The House adjourns until the Morrow Morning at 9 of the Clock.

March 30 Tuesday, 30th March, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Charles Goldsborough.

M.^r Reynolds, M.^r Hammond, Capt. Chapline, Capt. Crabb, M.^r Paca, Capt. Smith, M.^r J. Mackall, and Col. Fitzhugh, appeared in the House.

A Motion, for Leave to bring in a Bill To prevent the Importation of Priests, Jesuits, and other Papists, into this Province, was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

L. H. J.
Liber No. 48
March 30

A Motion, for Leave to bring in a Bill For issuing Writs of Replevin out of the County Courts, was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

A Motion, for Leave to bring in a Bill For remedying the Inconveniency arising from the present Proceedings upon Attachments, was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

A Motion, for Leave to bring in a Bill For recording all Deeds of Conveyance for Lands in this Province, was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I have received Intelligence that most of the Inhabitants of Pennsylvania, who lived Westward of Carlisle, have left their Plantations, and are retired to the more populous Parts of the Province; and that the Carlisle Settlement is also breaking up, which will leave our Northern Frontier, West of the Susquehanna, quite open and exposed to the Incursions of our savage Enemies. I am also informed that the French have advanced to the Little-Meadows with a large Number of Waggon and a considerable Quantity of Military Stores: This last Advice comes by M.^r Chapline, a Gentleman of your House, to whom I refer you for a more particular and circumstantial Account.

30th March 1756

Hor.^o Sharpe.

On reading the Petition of the Rector, Vestrymen, Church-Wardens, and sundry Inhabitants, of Worcester County, the Question was put, Whether Leave be given to bring in a Bill according to the Petitioners Prayer, or Not Resolved in the Affirmative.

p. 260

For the Affirmative,

T. Reeder,
Mills,
J. Reeder,
Hynson,
Wallis,
Hammond,
Hall,
Gassaway,
Carroll,
Reynolds,
Stoddert,
Jordan,

Handy,
J. Goldsborough,
M. Tilghman,
Edge,
Gray,
Tolley,
Hyland,
Baker,
Ward,
Addison,
Fraser,
Hawkins,

Bordley,
Dulany,
Lloyd,
E. Tilghman,
Casson,
Scarborough,
B. Handy,
Chapline,
Beall,
Dennis.

L. H. J.
Liber No. 48
March 30

B. Mackall,
Smallwood,
R. Henry,
Waggaman,

For the Negative,

Edmondson,
Govane,
Murdock,
Bracco,

J. Henry,
Evans,
Sprigg.

11

In Pursuance of the Resolution of the foregoing Question, the Petition of the Rector, Vestrymen, Church-Wardens, and sundry Inhabitants, of Allhallows Parish, in Worcester County, was read, and Leave given to bring in a Bill according to the Petitioners Prayer.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

A Motion, that Leave be given to bring in a Bill To repeal the Act relating to Squirrels in the several Counties therein mentioned, was granted: Ordered, That the Committee on Laws do prepare and bring in a Bill accordingly.

A Motion, that Leave be given to bring in a Bill To levy a Quantity of Tobacco on the taxable Inhabitants of Somerset County, to be applied towards making good a Public Road through the Great-Marsh, opposite to Vienna-Town; was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On reading the Account of Henry Lowes, against the Public, for Sundries furnished the French Neutrals with, Resolved, That the same be disallowed.

On reading the Account of Henry Callister, against the Public, for Sundries furnished the French Neutrals with, Resolved. That the same be disallowed.

The House adjourns until the Morning at 9 of the Clock.

March 31

Wednesday, 31st March, 1756.

The House met according to Adjournment, &c.

p. 209

M.^r Williamson and Capt. Earle appeared in the House.

A Motion, for Leave to bring in a Bill For preventing all Retailers of Liquors from selling in small Quantities, was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

A Motion, for Leave to bring in a Bill To apprehend suspected Indians for travelling without a Pass, was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.
Liber No. 48
March 31

The House met according to Adjournment, &c.

A Motion, for Leave to bring in a Bill To prevent Persons from burning the Woods, and foreign Persons from killing wild Deer, within this Province, was granted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On reading the second Time the Bill entituled, Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c. the Question was put, Whether a Sum of Money shall be given to his Excellency the Governor, provided he goes on the Western Expedition, or Not Resolved in the Affirmative.

For the Affirmative,

T. Reeder,	Dennis,	Baker,
Mills,	Waggaman,	Murdock,
Hynson,	J. Goldsborough,	Dulany,
Williamson,	M. Tilghman,	Lloyd,
Wallis,	Edmondson,	E. Tilghman,
Hammond,	Edge,	Casson,
Hall,	Gray,	Scarborough,
Carroll,	Paca,	J. Henry,
Smallwood,	Tolley,	B. Handy,
Jordan,	Smith,	Chapline.
R. Henry,	Hyland,	
Handy,	Earle,	

34

For the Negative.

J. Reeder,	Govane,	Evans,
Gassaway,	Ward,	Crabb,
Reynolds,	Addison,	Beall,
J. Mackall,	Fraser,	Sprigg.
B. Mackall,	Hawkins,	
Stoddert,	Bracco,	

16

The House adjourns till the Morrow Morning at 9 of the Clock.

Thursday Morning, 1st April, 1756.

April 1

The House met according to Adjournment, &c.

Capt. Waggaman and M.^r Ward have Leave to go home.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

L. H. J. Gentlemen of the Lower House of Assembly,
 Liber No. 48
 April 1 I have just received Letters from Major Prather, advising me, that he was disposing the Ranging Parties, of which he has the Command, in such a Manner, as will most probably give them an Opportunity of engaging a Party of Indians that has already done some Mischief on the Frontiers, near Mills's Fort. As the Money that you some Time since granted for the Support of these Ranging Parties is very near expended, and you have taken no Notice of my former Message on this Subject, I am obliged to apply to you once more, and hope to be speedily informed of your Resolutions thereon, that I may, by M.^r Dixon, who waits for my Answer, write to the Officers, either to keep up their respective Parties, if you think it necessary, or to disband them immediately, if you judge that Step most proper.

April 1.st 1756

Hor.^o Sharpe.

p. 210 Which was read; and Ordered, That Col. Tilghman, M.^r Matthew Tilghman, M.^r Murdock, and M.^r Carroll, do prepare and bring in an Address to his Excellency, in Answer thereto.

Col. Tilghman brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

On Motion, the Question was put, That his Excellency be allowed the Sum of Five Hundred Pounds, provided he goes on the Expedition to the Westward. Resolved in the Affirmative.

For the Affirmative,

T. Reeder,	Dennis,	Baker,
Hynson,	Waggaman,	Murdock,
Williamson,	J. Goldsborough,	Bordley,
Wallis,	Edmondson,	Dulany,
Hammond,	Edge,	Lloyd,
Hall,	Gray,	E. Tilghman,
Carroll,	Paca,	Casson,
Smallwood,	Tolley,	Scarborough,
Jordan,	Smith,	J. Henry,
R. Henry,	Earle,	B. Handy,
Handy,	Hyland,	Chapline. [33]

For the Negative,

J. Reeder,	Govane,	Bracco,
Gassaway,	Ward,	Evans,
Reynolds,	Addison,	Crabb,
B. Mackall,	Fraser,	Beall.
Stoddert,	Hawkins,	

[14]

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker an ingrossed Bill entituled, An Act for the Continuance of Process in Cæcil County March Court, and to cure some Defects that may have happened in the proceedings of the several County Courts of this province and for the explaining an Act of Assembly Entituled an Act for Appointing certain Days on which the several and Respective County Courts Within this Province are to be held and an ingrossed Bill entituled, An Act to vest certain entailed Lands, &c. in the Female Heirs of Leonard Hollyday, Gentleman, &c. which Bills were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by M.^r Benjamin Mackall and M.^r Reynolds.

L. H. J.
Liber No. 48
April 1

M.^r Carroll brings in and delivers to M.^r Speaker the following ingrossed Address, viz

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We hope your Excellency will not impute our Omission to answer your Message of the 22d Day of March last to any Thing but the true Cause, our close Application to a Bill for his Majesty's Service and our common Safety, which, from the Length and Variety of Matter contained in it, has almost totally engrossed our Thoughts. p. 211

As we have good Reason, from the best Intelligence we can procure, to believe, that the Numbers of Men mentioned in your Excellency's Estimate, sent us with that Message, have not been raised, as in that Estimate it was supposed they would be, we make not the least Doubt but that the Bill, now under our Consideration, and nearly perfected, which will make ample Provision for every Service that can be reasonably required of us, will be enacted into a Law Time enough effectually to guard against every Danger, which appears at present to threaten us.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Lloyd and Capt. Stoddert do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker that the Governor was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That M.^r Smallwood and Capt. Waggaman do present the Address to his Excellency.

The House adjourns till 2 of the Clock Afternoon.

L. H. J.
Liber No. 48
April 1

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Mills and M.^r John Reeder have Leave to go home.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

The Inclosed, I hope, will convince you, that the £500 some Time since granted for the Support of some Parties of Rangers, for the Protection of the Frontiers, is already expended; and as the Officers apply to me for more Money to subsist and pay their Men, who cannot, it seems, live on Expectations that some Provision will be hereafter made for them, I find myself under a Necessity of enforcing the Message that I sent you in the Morning, having not Money myself to support those Parties till the Supply Bill, that you say is under your Consideration, may be enacted into a Law.

April 1 1756

Hor.^o Sharpe.

	The Pay of Lieutenants Shelby and Baker's Parties to the 31st of March, by their Letters and Returns sent me, must amount to, at least,	} 125 7 0
	Victualling the said Parties to the same Time,	
p. 212	Forty Blankets sent to Conococheague for them, Carriage included, about,	68 8 8
	The Pay of Capt. Dagworthy's Company, ordered to come down towards Conococheague, from the 10th to the 31st of March,	} 30 0 0
	The Pay of Lieutenant Stoddert's Party for the same Time,	
	Victualling them for the same Time,	14 3 6
	Major Prather, in his Letter and Return, dated the 19th of March, said he had then 40 Men, and expected to be joined by many more Recruits within a Day or two: The Pay of these Men to the 31st,	} 11 4 0
	Expence of Victualling them will be about,	
	Forty Blankets sent Major Prather; Carriage thereof, and of Arms and Ammunition to Conococheague, about	} 46 0 0
	Several Expresses sent, the Expence whereof will be at least	
		30 0 0
		36 0 0
		8 0 0

Expended already £436 5 0

Capt. Alexander Beall said that he should, in Pursuance of my Orders, march to the Frontiers with a Party of near 40 Men on the 29th, or 30th of March at farthest; for the Payment and Sub-

L. H. J.
Liber No. 48
April 1

sistence of whom I have given my Letters of Credit and Word to see them satisfied, till they shall be discharged. Major Prather ordered three Companies of the Militia to join him on the 29th of March, in order to attack a large Body of Indians that had been discovered: These Companies he is to supply with Provisions, and draw on me for Payment. Contingent Expences, as Camp Kettles, Batt Horses, &c.

It must be 5 or 6 Days before a Letter, forbidding Major Prather, or the other Officers, to draw any more Orders on me, can reach them.

On reading and considering his Excellency's Message of this Afternoon, the Question was put. Whether any further Grant shall be made, by Way of Ordinance, at this Time, for the Protection of the People upon the Borders to the Westward, or Not Resolved in the Affirmative.

For the Affirmative,

T. Reeder,	J. Goldsborough,	Dulany,
Mills,	Edmondson,	Casson,
J. Reeder,	Edge,	Scarborough,
Hynson,	Gray,	J. Henry,
Williamson,	Smith,	Evans,
Hall,	Earle,	B. Handy,
Fitzhugh,	Baker,	Crabb,
R. Henry,	Addison,	Chapline,
Dennis,	Murdock,	Beall.
Waggaman,	Bordley,	

[29]

For the Negative.

Wallis,	Stoddert,	Hyland,
Hammond,	Handy,	Ward,
Gassaway,	Handy,	Fraser,
Carroll,	M. Tilghman,	Hawkins,
Reynolds,	Paca,	Lloyd,
J. Mackall,	Tolley,	E. Tilghman,
B. Mackall,	Govane,	Bracco.
Smallwood,		

[22]

On Determination of the foregoing Question, Resolved, That the Sum of £250 be granted, by Way of Ordinance, for the further Protection of the People on the Western Frontier of this Province. p. 213

Resolved, That an Address be prepared to his Excellency, in Answer to his Message of this Afternoon.

Ordered, That M.^r Bordley, Col. Robert J. Henry, M.^r Murdock, and M.^r Dulany, do prepare and bring in such Address; and that

L. H. J. they likewise prepare an Ordinance for the Sum of £250 and a
 Liber No. 48 Message to the Upper House, to be sent to require the Concurrence
 April 1 of that House.

M.^r Bordley brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

M.^r Murdock brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates
 May it please your Excellency,

In Answer to your Message this Afternoon, we beg Leave to inform your Excellency, that we have Resolved upon an Ordinance, which is now preparing, for an immediate Supply of Two Hundred and Fifty Pounds Current Money, for the further Protection of the People on the Western Frontier of this Province; which Sum, we are in Hopes, may be sufficient for that Purpose, until the Bill, now under our Consideration, for his Majesty's Service, may be enacted into a Law.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Bordley and Col. Fitzhugh do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That Col. Addison and M.^r Benjamin Mackall do present the Address to his Excellency.

The following Message, viz.

By the Lower House of Assembly, April 1, 1756.

May it please your Honours,

We are now preparing an Ordinance for an immediate Supply of a Sum of Two Hundred and Fifty Pounds Current Money, to be paid by the Commissioners of the Loan-Office to his Excellency the Governor, for the further Protection of our Frontier Inhabitants, with which we hope your Honours Concurrence; and we will take proper Measures in our Bill for replacing the said Sum.

p. 214

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, by M.^r Edge and Capt. Earle.

Col. Hammond, from the Upper House, delivers to M.^r Speaker the following Message, viz.

By the Upper House of Assembly, April 1, 1756.

L. H. J.
Liber No. 48
April 1

Gentlemen,

In Answer to your Message of this Day, by Messieurs Edge and Earle, this House is willing that an Ordinance of both Houses be made for the Payment of Two Hundred and Fifty Pounds Currency, by the Commissioners of the Loan-Office, to his Excellency the Governor, for the further Protection of the Frontier Inhabitants.

Signed per Order, J. Ross, Cl. Up. Ho.

The following Ordinance, viz.

For the further Defence and Protection of the Frontier Inhabitants of this Province, from the Cruelties and Depredations of the Indians, It is Ordained by his Excellency the Governor, and the Upper and Lower Houses of Assembly, That the Commissioners or Trustees, for emitting the Bills of Credit, established by Act of Assembly, shall pay to his Excellency the Governor, or his Order, the Sum of Two Hundred and Fifty Pounds Current Money, out of the Public Monies now in their Hands, to be by him laid out and disposed of, as well for the Payment of the Sum of Ten Pounds Current Money to any of the Inhabitants of this Province, or Friend Indian, who have killed or shall kill and scalp, or take alive, any Indian Enemy, as for the further securing and defending the said Frontier Inhabitants in such Manner as to him shall seem expedient; and that the said Commissioners or Trustees charge such Payment in a particular and distinct Account, to be kept by them for that Purpose.

1st April 1756

Read and assented to by the Lower House of Assembly.

Signed per Order, Henry Hooper, Speaker.

Was sent to the Upper House by M.^r Bordley and M.^r Edge.

The House adjourns until the Morrow Morning at 9 of the Clock.

Friday Morning, 2^d April, 1756.

April 2
p. 215

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r John Reeder, M.^r Edmondson, and Cap.^t Jordan.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On Motion, the Question was put, Whether Five Shillings, mentioned in the Bill intituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c. to be taxed on

L. H. J. Marriage-Licences, shall be struck out of the said Bill, or Not
 Liber No. 48 Resolved in the Affirmative.
 April 2

For the Affirmative,

Mills,	Waggaman,	Murdock,
Hynson,	J. Goldsborough,	Bordley,
Williamson,	M. Tilghman,	Dulany,
Wallis,	Edge,	Lloyd,
Hall,	Tolley,	E. Tilghman,
Fitzhugh,	Smith,	Casson,
B. Mackall,	Hyland,	J. Henry,
R. Henry,	Earle,	B. Handy.
Handy,	Baker,	28
Dennis,	Ward,	

For the Negative,

Reeder,	Stoddert,	Bracco,
Hammond,	Gray,	Scarborough,
Gassaway,	Paca,	Evans,
Carroll,	Govane,	Chapline,
Reynolds,	Addison,	Beall.
J. Mackall,	Fraser,	19
Smallwood,	Hawkins,	

The Bill entituled, An Act for granting a Supply of £40000 for his Majesty's Service, &c. was read, and committed for Amendments.

The House adjourns till the Morrow Morning at 9 of the Clock.

April 3

Saturday Morning, 3^d April, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except Col. Addison.

Capt. Stoddert, M.^r Benjamin Handy, Major Hynson, M.^r Wallis, M.^r Bracco, and M.^r Casson, have Leave of the House to go home.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The House adjourns until Monday Morning at 9 of the Clock.

April 5

Monday Morning, 5th April, 1756.

p. 216 The House met according to Adjournment: All the Members appeared as on Saturday, except M.^r Mills, Major Hynson, M.^r

Wallis, M.^r J. Mackall, Capt. Stoddert, M.^r Matthew Tilghman, L. H. J.
M.^r Edge, Capt. Tolley, M.^r Ward, M.^r Bordley, M.^r Lloyd, M.^r April 5
Casson, M.^r Bracco, Capt. Crabb, and M.^r Beall. Liber No. 48

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The House adjourns until the Morrow Morning at 9 of the Clock.

Tuesday Morning, 6th April, 1756.

April 6

The House met according to Adjournment, &c.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Lloyd, Major Hynson, and M.^r Wallis, appeared in the House.

The House adjourns until the Morrow Morning at 9 of the Clock.

Wednesday Morning, 7th April, 1756.

April 7

The House met according to Adjournment, &c.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Capt. Crabb appeared in the House.

On Motion, Ordered, That M.^r Carroll be added to the Committee
of Grievances and Courts of Justice.

The House adjourns until the Morrow Morning at 9 of the Clock.

Thursday Morning, 8th April, 1756.

April 8

The House met according to Adjournment, &c.

M.^r J. Mackall, M.^r Ward, and M.^r Bracco, appeared in the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r John Reeder, M.^r Edge, and M.^r Casson, appeared in the
House.

L. H. J.
Liber No. 48
April 8
p. 217

Philip Hammond, Esq; from the Committee of Laws, brings in and delivers to M.^r Speaker the Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service And for Striking £34015..16..0 thereof in Bills of Credit and Raising a fund for Sinking the same which was committed for Amendments, and with the Amendments made thereof, was now read the second Time, and will pass; and was sent to the Upper House by Philip Hammond, Esq; and 14 more.

M.^r Murdock, from the Committee appointed to prepare an Address to his Excellency, in Answer to his Message of the 8th of July last, brings in and delivers to M.^r Speaker the following, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

The Prorogation of the Assembly, which so immediately ensued upon the Return of your Excellency's Answer to our Address concerning the Growth and Influence of Popery within this Province, precluded us from the Possibility of making such a Reply as we did then and still judge necessary, both to justify our own Conduct, and to elucidate those particular Facts mentioned in the Address, for which we have been so severely taken to Task. Had we been mistaken as to some inconsiderable Circumstances of the Facts laid down to your Excellency, which we do not yet find, there would be no Room to Triumph; for that our Address rested solely upon those Facts, or that we had no other Cause of Complaint but what they administered, is by no Means the Case: Those general Assertions or Insinuations, as your Excellency is pleased to call them, we thought might be sufficient in a Matter of such public Notoriety; but, as a Disquisition more extensive and more explicit seems now to be necessary, we shall comply with the Occasion, and proceed to shew, that the Evil we complained of is, as we have said, very invertebrate, and that it hath long called for Redress.

It is too notorious to need any Proof, that Offices of Profit and Trust were generally, if not altogether, in the Possession of Papists, from the first Settlement of this Province down to the Revolution; and as Popery was then Triumphant, the Jesuits did not neglect an Opportunity so favourable to the Ambition and Avarice of their Order: They secured to themselves great Landed Estates upon which they have a Number of Slaves, and many Tenements, which yield them large annual Revenues, erected Mass-Houses, and lived together in a Collegiate Manner; and even since that happy Period, they have not only continued in full Possession of those Estates, but have been permitted to make new Acquisitions by Bequests, and

otherwise, to increase their Wealth by Traffic, to exercise their Functions, and to propagate their dangerous Tenets with Impunity: That such extraordinary Countenance should be given to Popery before the Revolution, and indeed after, while the Proprietors themselves were Papists, is not greatly to be wondered at; but we own it is Matter of Astonishment to us, that the known Enemies of our Constitution should still meet with the same Indulgence, whilst we have every Thing to fear from their open Attempts, or secret Machinations. To confirm the Truth of the last Assertion, we will produce such Testimony as will scarce be disputed with us, and that is an Extract from a Proclamation of the late Governor Bladen in the Year Seventeen Hundred and Forty-six, in the Words following: "Whereas I have received certain Information that several Jesuits and other Popish Priests, and their Emissaries, have presumed of late, especially since the late unnatural Rebellion broke out in Scotland, to seduce and pervert many of his Majesty's Protestant Subjects from their Religion, and to alienate their Affections from his Majesty's Royal Person and Government, altho' such Practices are High Treason, not only in the Priests and their Emissaries, who shall seduce and pervert, but also in all those who shall be seduced and perverted; I have herefore thought fit, with the Advice of his Lordship's Council of State, to issue this my Proclamation, to charge all Jesuits and other Popish Priests, and their Emissaries, to forbear such traitorous Practices, and to assure such of them as shall dare hereafter to offend, that they shall be prosecuted according to Law." This Extract from the Proclamation will not only serve the Purpose for which it is adduced, to prove the traitorous Practices of the Jesuits and their Adherents, but it will likewise evince that they have been treated with extraordinary Lenity and Tenderness. Another Instance of the evil Practices of the Papists, or at least of the strong Suspicions that were entertained of them, we shall produce, perhaps, scarce less authentic than the former: In the Year Seventeen hundred and sixteen, so generally were the Protestants persuaded that Contributions were made by the Papists, and some of their Party sent to England with a Design to prejudice the Protestant Government and Interest in Maryland, that it was thought necessary to raise a Sum of Money by Subscription, to be remitted to Col. Blackstone, the then Agent of the Province, in order to counteract and frustrate their Designs. As this Subscription was promoted by several Gentlemen of the Council, and others of the first Rank, some of whom are still living, to them we appeal for the Truth of this Fact. Hence it will appear, that the present Discontents of the People are not owing to the Clamours of a few factious Men, as the Papists and their Abettors have suggested, but to one uniform and continued Scheme of the Papists themselves, either avowed or concealed as the Times and Occasions required, to subvert the Protestant Interest. And we

L. H. J.
Liber No. 48
April 8

p. 219

L.H.J.
Liber No. 48
April 8

cannot but be of Opinion, that the open and unrestrained Practice of sending Youth to Foreign Popish Seminaries for Education, has this pernicious Scheme in View; we therefore think it to be incumbent on a Protestant Legislature to guard against the Consequences of that dangerous Practice, as it is notorious that there is in those Seminaries a Root of Enmity irreconcilable to his Majesty's Government, and the Religion of his Kingdoms. Having thus shewn the general Influence of the Popish Faction, and the Countenance and Encouragement that have been given it, and consequently the Propriety and Necessity of our Remonstrances, we proceed to elucidate those particular Facts which were the Subject of our former Address.

To begin then with the Affair of the Criminal in St. Mary's County, of which we shall now give a minute Detail, though we before thought the Particulars unnecessary: This Offender had, by repeated Acts of Villainy, rendered himself so obnoxious to the Neighbourhood he lived in, that when he fled from the Justice due to the Crime he last perpetrated, and for which he was afterwards condemned, a Contribution of Three Thousand Pounds of Tobacco was given to apprehend him; after his Condemnation those Persons or some of the Principal of them, who had contributed towards this Sum for apprehending him, were applied to, to solicit his Pardon, which they refused; the Man had hitherto professed himself a Protestant, and was attended for some Time in Goal by a Minister of the Church of England; afterwards a Jesuit was admitted to him, and he became a Proselyte to the Church of Rome: The Persons, or some of the Principal of them, who contributed to have him apprehended, and who had been before applied to in vain, now solicit his Pardon and obtain it. This is a bare Recital of Facts, which we shall submit to your Excellency with this short Comment, that the Circumstance of his becoming a Proselyte to the Church of Rome, remarkable as it was, was unknown to your Excellency, till our Address gave you the Information of it, altho' those Gentlemen of the firmest Loyalty and Attachment to his Majesty, one of them especially who is a Lawyer and a Judge, did or ought to have known, if the Doctrine in the before cited Proclamation is true, that the Person they recommended to your Excellency's Clemency, as well as the Jesuit who perverted him, were guilty of High Treason.

With respect to the two Instances in Prince-George's County, brought by us to prove the Prevalence of the Popish Faction, we see no Reason to retract what we have said: It is certain that the matter mentioned by your Excellency as one Inducement to yield to the Solicitation in Behalf of the former, Pye, was without Foundation: Since the Fact, he was so far from alledging any Thing against Crawford, when he was called upon by a Grand-Jury to give his Testimony, that he declared he did not even know him; and as your

Excellency has not assured us that the Application of the Protestant Gentlemen, in the Neighbourhood of these Persons, was immediately from themselves, we think we have Room to suspect, that their Names might have been made use of without their Privity and Consent; and we are the rather induced to believe this, as we are well assured by the annexed Deposition, that in the latter Instance of Bevan's Wife, the Party injured, M.^r Roundell, was not of the Number of those at whose earnest Request a Pardon was granted.

L. H. J.
Liber No. 48
April 8

We have been the more particular in observing upon these Instances, with a Design, that such as may have presumed to give partial and delusive Information of them to your Excellency, may be detected and censured.

It was by no Means our Intention, by our Address, to prescribe Limits to your Excellency's Clemency, to controvert your Power of Pardoning Delinquents, or invade or infringe any other the undoubted Rights of the Supreme Magistrate: But when we see these Powers exercised against the true Spirit of a British Constitution, we presume it to be our undoubted Right to remonstrate against it; and we can assure your Excellency, that, in doing so, in these particular Instances, we have not acted against the Sense and Desire of our Constituents.

As your Excellency is at a Loss to know what the Expectations of the People were, with respect to the Attorney-General Henry Darnall, Esq; and the Judge his Brother, we hope we shall not offend in acquainting you that they are no other, than that they should be Removed from those Places of Trust and Profit they enjoy; and these Expectations of the People, we think far from being unreasonable. It may be true, that they have conformed to the Established Church; but it is no less true, that since their Conformity they have afforded Proofs, by no Means equivocal, of their Attachment to, and Continuance in, their old Religious Principles. The Attorney-General, for Instance, sent his Son to a Popish Seminary for his Education, and the Wives and Children of Both continue in the open and public Profession and Exercise of the Popish Religion. Thus we refer it to your Excellency's Consideration, whether these Gentlemen have rendered themselves justly obnoxious to the People: And we assure your Excellency that we do not know, nor can believe, while the Facts here mentioned are in Sight, that they are lawfully qualified to hold any Employment. p. 221

To conclude, we shall now dismiss a Subject, altho' it is far from being exhausted, upon which many fruitless Representations have been made to our Governors; and if we should now be deceived, in our entire Dependence that your Excellency will Redress our Aggrievances abovementioned, we shall despair of finding any Relief here; but at the same Time, from a just Apprehension of the Evils

L. H. J.
Liber No. 48
April 8

that immediately Threaten this Province, and consequentially, in some Degree, the whole British Interest in America, we think it our indispensable Duty to our Country, to apply to our most gracious Sovereign, whose paternal Care has always been extended to the lowest and most distant of his Subjects, where, when our Grievances come to be explained, we shall not fail to find Redress and Protection.

There was annexed to the foregoing Address the following Deposition, viz.

The Deposition of Samuel Roundell, of Prince-George's County, Gentleman, who being duly Sworn on the Holy Evangels of Almighty God, deposeth and saith, That the Wife of one Bevan, who had committed a Forgery, to the manifest Defraud and Injury of this Deponent, was apprehended and bound over to June Court, Seventeen hundred and fifty-four, in Prince-George's County, and from thence continued to August Court following: That on the first Day of that Court, this Deponent asked the Prosecutor M.^r Henry Darnall, Whether the Affair between Bevan's Wife and this Deponent would be ended this Court M.^r Darnall then asked this Deponent, If he had not seen old M.^r Sansbury (the Womans Father), who answered, He had not; M.^r Darnall replied, He wondered he had not, for that he, Sansbury, said he would see the Deponent, and settle the Affair. M.^r Darnall further said to this Deponent, that, At the Request of M.^r Sansbury he had applied to the Governor, and represented the Case, and that the Governor said By G-d he would not do any such Thing till the Party injured was satisfied; and at the same Time M.^r Darnall said to this Deponent, If you get your Money, I suppose you will be satisfied: This Deponent answered, He should, for that he had rather have his Money than see the Woman punished. That the next Day old M.^r Sansbury, M.^r Darnall, and this Deponent, went into the Clerk's Office in the Court-House, and there M.^r Sansbury gave his Obligation to this Deponent for the Money for the Goods which she had fraudulently obtained of him, and M.^r Darnall was an Evidence to the same; and this Deponent further saith, that he did not directly or indirectly apply to the Governor in Behalf of the Woman. And further saith not.

Samuel Roundell.

March 11, 1756.

M.^r Samuel Roundell made Oath to the Truth of the Facts set forth in the within Deposition before me.

Henry Hall, Jun.^r

Which Address was read, and ordered to lie on the Table.

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the Petition of the Freeholders of those Parts of Cæcil County,

called Sassafras Neck, Middle Neck, and Bohemia Manor; indorsed, By the Upper House of Assembly, April 8, 1756. Read and referred to the Consideration of the Lower House of Assembly; which was here read, and ordered to lie on the Table.

L. H. J.
Liber No. 48
April 8

Col. Fitzhugh, from the Committee appointed, brings in and delivers to M.^r Speaker a Bill entituled, A further additional Supplementary Act to an Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, which was read the first Time, and ordered to lie on the Table.

The House adjourns until the Morrow Morning at 9 of the Clock.

Friday Morning, April 9, 1756.

April 9

The House met according to Adjournment, &c.

M.^r Matthew Tilghman and M.^r Bordley appeared in the House.

Col. Fitzhugh hath Leave of the House to go home.

The Order of the Day being read; the Petition of sundry of the Inhabitants of Cæcil County, in the same Province, praying to have the Court-House, for the said County, moved to Charles-Town, was heard at the Bar by Council on both Sides: The House not having had Time for a full Hearing thereon, Resolved, That the said Petition be heard at the Bar of the House in the Afternoon.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The Order of the Day being read; the House proceeded to a further Hearing on the Petition of sundry of the Inhabitants of Cæcil County, in the same Province, and referred the Consideration thereof until the Morrow Morning.

p. 223

The House adjourns until the Morrow Morning at 9 of the Clock.

Saturday Morning, 10th April, 1756.

April 10

The House met according to Adjournment: All the Members appeared as Yesterday, except Capt. Smith and Col. Fitzhugh.

M.^r Thomas Reeder, M.^r Smallwood, M.^r John Mackall, and M.^r John Goldsborough, have Leave to go home.

The House having taken into Consideration the Petition of sundry of the Inhabitants of Cæcil County, in the same Province:

On Motion, the Question was put, Whether the Court-House of Cæcil County shall be Removed, or Not? Resolved in the Affirmative.

L. H. J.
Liber No. 48
April 10

For the Affirmative,

J. Reeder,	Paca,	Dulany,
Hall,	Govane,	Lloyd,
Gassaway,	Hyland,	Casson,
Reynolds,	Baker,	Scarborough,
J. Mackall,	Murdock,	Crabb,
B. Mackall,	Fraser,	Chapline,
Edge,	Bordley,	Sprigg.

21

For the Negative,

T. Reeder,	R. Henry,	Ward,
Hynson,	Handy,	Hawkins,
Williamson,	Dennis,	E. Tilghman,
Wallis,	J. Goldsborough,	Bracco,
Hammond,	M. Tilghman,	J. Henry,
Carroll,	Gray,	Evans.
Smallwood,	Earle,	

20

The Question was put, Whether the Court-House of Cæcil County shall be removed to Charles-Town, or to the Head of Elk Resolved that it be removed to the Head of Elk.

For the Head of Elk,

T. Reeder,	B. Mackall,	Murdock,
J. Reeder,	Smallwood,	Lloyd,
Hynson,	R. Henry,	E. Tilghman,
Williamson,	Handy,	Casson,
Wallis,	J. Goldsborough,	Bracco,
Hammond,	M. Tilghman,	Scarborough,
Gassaway,	Gray,	J. Henry,
Carroll,	Earle,	Evans.
Reynolds,	Ward,	

26

For Charles-Town,

J. Mackall,	Govane,	Bordley,
Hall,	Hyland,	Dulany,
Dennis,	Baker,	Crabb,
Edge,	Fraser,	Chapline,
Paca,	Hawkins,	Sprigg.

15

Col. Tasker, from the Upper House, delivers to M.^r Speaker a Petition of Joseph L'André and others, in Behalf of themselves and others, late Inhabitants of Acadia, &c. indorsed, By the Upper House of Assembly, referred to the Consideration of the Lower

House of Assembly; which Petition was read here, and ordered to lie on the Table.

L. H. J.
Liber No. 48
April 10

A Motion, for Leave to bring in a Bill For Payment, by the Public, for Convict Servants executed for Crimes committed in this Province; Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until Monday Morning at 9 of the Clock.

p. 224

Monday Morning, 12th April, 1756.

April 12

The House met according to Adjournment: All the Members appeared as on Saturday, except M.^r John Mackall, M.^r Thomas Reeder, M.^r John Goldsborough, M.^r Smallwood, and M.^r Paca.

M.^r Edmondson, M.^r Beall, and Col. Addison, appeared in the House.

M.^r Gray and Major Hyland have Leave to go home.

Col. Scarborough brings in and delivers to M.^r Speaker a Bill entituled, A Supplementary Act to the Act entituled, An Act empowering the Justices of Worcester County to levy on the taxable Inhabitants of Allhallows Parish a Sum of Tobacco, and for other Purposes therein mentioned; which was read the first Time, and ordered to lie on the Table.

Col. John Henry brings in and delivers to M.^r Speaker a Bill entituled, An Act empowering the Justices of Somerset County to levy not exceeding 20,000 lbs. of Tobacco upon the taxable Inhabitants of the said County, for the Use therein mentioned; which was read the first Time, and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Stoddert appeared in the House.

The House adjourns until the Morrow Morning at 9 of the Clock.

Tuesday Morning, 13th April, 1756.

April 13

The House met according to Adjournment: All the Members appeared as Yesterday except M.^r Gray,

Capt. Jordan appeared in the House.

On Motion, Resolved, That this House will sit from eight of the Clock in the Morning until XII, and from II of the Clock Afternoon until VI, for the greater Dispatch of Public Business, during this Session.

L. H. J.
Liber No. 48
April 13

A Motion, for Leave to bring in a Bill For Building a new Court-House and Prison for Cæcil County, and for placing the same at the Head of Elk River in the said County, was granted. Ordered, That a Bill be brought in accordingly.

p. 225 The Bill entituled, A Supplementary Act to the Act entituled, An Act empowering the Justices of Worcester County to levy on the taxable Inhabitants of Allhallows Parish, A sune of Tobacco and for other purposes therein Mentioned was read the second Time, and will pass; and was sent to the Upper House by Col. Scarborough and Major Evans.

The Bill entituled, An Act empowering the Justices of Somerset County to levy not exceeding 20,000 lbs. of Tobacco, &c. was read the second Time, and will pass; and was sent to the Upper House by Col. Robert Henry and M.^r Handy.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Major Travers appeared in the House.

M.^r Baker brings in and delivers to M.^r Speaker a Bill entituled, An Act for Erecting and Building a Court-House and Prison at the Head of Elk River in Cæcil County, and making Sale of the old Court-House and Prison of the said County; which was read the first Time, and ordered to lie on the Table.

Capt. Daniel of St. Thomas Jenifer, a Delegate returned for Charles County, to serve in this General Assembly, appeared in the House. Ordered, That Capt. Stoddert and Capt. Jordan do go with Capt. Jenifer to the Upper House to see him qualified: They return and acquaint M.^r Speaker that they saw him qualified in the usual Manner.

The Gentleman took his Seat in the House.

The House adjourns until the Morrow Morning at 8 of the Clock.

April 14

Wednesday Morning, 14th April, 1756.

The House met according to Adjournment, &c.

Capt. Tolley and Capt. Smith appeared in the House.

On reading the second Time the Bill entituled, An Act for Erecting and Building a Court-House and Prison at the Head of Elk River, &c. the Question was put, Whether the said Bill shall pass, or Not Resolved in the Negative.

For the Negative,

L. H. J.
Liber No. 48
April 14

Hynson,	R. Henry,	Addison,
Williamson,	Handy,	Hawkins,
Wallis,	Dennis,	Dulany,
Hammond,	Waggaman,	E. Tilghman,
Carroll,	M. Tilghman,	Bracco,
Stoddert,	Travers,	J. Henry,
Jordan,	Earle,	Evans,
Jenifer,	Ward,	Beall.

24

For the Affirmative,

Reeder,	Tolley,	Lloyd,
Hall,	Govane,	Casson,
Gassaway,	Smith,	Scarborough,
Reynolds,	Hyland,	Crabb,
B. Mackall,	Baker,	Chapline,
Edmondson,	Murdock,	Sprigg.
Edge,	Fraser,	

20

The ingrossed Bill entituled, An Act to impower and direct the Clerk of Anne-Arundel County Court to record, &c. a Deed of Bargain and Sale, &c. was read and assented to, and sent to the Upper House, with the Paper Bill, by Capt. Gassaway and M.^r Earle. p. 226

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On Motion, Ordered, That all Accounts against the Public shall be from henceforth proved in due Form of Law, and that Notice be given thereof in the Gazette.

On Motion, the Question was put, Whether the Accounts against the Public for Articles furnished the Companies of Militia in Baltimore, Kent, and Cæcil Counties, at the Time of the Alarm in November last, and the Accounts for Sundries furnished the French Neutrals, shall be re-considered by the House this Session, or referred to the Consideration of the next Session of Assembly Resolved, That the said Accounts be referred for Consideration of the next Session of Assembly.

Col. Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for preventing the Evils occasioned by Masters of Ships, Sloops, or other Vessels, their Officers, Skippers, and Sailors, dealing with or entertaining Servants or Slaves; which was read the first Time, and ordered to lie on the Table.

The House adjourns till the Morrow Morning at 8 of the Clock

L. H. J.
Liber No. 48
April 15

Thursday Morning, 15th April, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Bordley.

Capt. Earle, Col. Scarborough, Major Evans, and Capt. Handy, have Leave to go home.

M.^r Stoddert, from the Committee of Accounts, brings in and delivers to M.^r Speaker the Journal of Accounts, which was read and assented to.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker the following Message, viz.

By the Upper House of Assembly, April 15, 1756.

Gentlemen,

[This lengthy message is printed in full in the Upper House Journal, pages 249-53.]

p. 230 Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker a Petition of the Inhabitants of Frederick County; indorsed, By the Upper House of Assembly, read and referred to the Consideration of the Lower House of Assembly; which was here read, and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On reading the Address to his Excellency, brought in by M.^r Murdock from the Committee appointed for that Purpose, the Question was put, Whether the Address be Approved, or Not Resolved in the Affirmative [see addresses on Popery, pages 356-60].

For the Affirmative,

J. Reeder,	Waggaman,	Murdock,
Hynson,	M. Tilghman,	Fraser,
Williamson,	Edmondson,	Hawkins,
Wallis,	Edge,	Lloyd,
Hammond,	Travers,	E. Tilghman,
Hall,	Tolley,	Casson,
Gassaway,	Govane,	Bracco,
Carroll,	Smith,	Scarborough,
Reynolds,	Hyland,	Evans,
B. Mackall,	Earle,	Crabb,
Stoddert,	Baker,	Chapline,
Jordan,	Ward,	Beall,
Handy,	Addison,	Sprigg.

39

For the Negative,

Jenifer,	Dennis,
R. Henry,	Dulany.

4

Which Address was indorsed, read, approved, and ordered to be ingrossed.

L. H. J.
Liber No. 48
April 15
p. 231

The Bill entituled, An Act for preventing the Evils occasioned by Masters of Ships, Sloops or Other vessels their Officers Skippers and Sailors dealing with or entertaining Servants or Slaves, was read the second Time, and will pass.

The House adjourns until the Morrow Morning at 8 of the Clock.

Friday Morning, 16th April, 1756.

April 16

The House met according to Adjournment: All the Members appeared as Yesterday, except Col.^o John Henry and Major Hyland.

On reading and considering the Message from the Upper House of Yesterday, Ordered, That an Answer be prepared thereto, and that the Committee of Laws do prepare and bring in the same.

The Bill entituled, An Act for preventing the Evils occasioned by Masters of Ships, Sloops or other Vessels their officers Skippers and sailors dealing with or entertaining Servants or Slaves, was sent to the Upper House by M.^r Reynolds and Capt. Dennis.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The following Message, viz.^t

By the Lower House of Assembly, 16th April, 1756.

May it please your Honours,

We are too deeply sensible of the Distresses of our Frontier-Inhabitants, and the Dangers which threaten his Majesty's American Dominions in general, and too much concerned at the heavy Public Debt which daily increases by our sitting here, to spend our Time in a Method of Proceeding, we conceive, beneath the Dignity and inconsistent with the Candour that ought to be preserved between the Branches of the Legislature:

Therefore, in Answer to your unparliamentary Message of Yesterday, wherein you say, you have mentioned only some of the material objections you have to the Bill for granting a Supply of Forty Thousand Pounds, for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same, sent up to your Honours for Concurrence on the 8th Day of this Instant, and that they are the Observations you think necessary to make upon that Bill at present: We shall just observe, that when your Honours shall have taken Notice of, and particularized, all the Objections to and

L. H. J. Observations upon that Bill, which you may think necessary finally
 Liber No. 48 to make (and this we hope you will do as soon as you can), we shall
 April 16 then, with the utmost Dispatch, do every Thing, consistent with our
 Rights and Privileges, to remedy every Defect that may have escaped
 p. 232 our Observation in the Draft of a Bill so Long and Complicated.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by M.^r Matthew Tilghman and M.^r Bracco.

M.^r Murdock brings in and delivers to M.^r Speaker the ingrossed Address to his Excellency, in Answer to his Message of the 8th of July last:

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Murdock and M.^r Crabb do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will be pleased to receive the same: They return and acquaint M.^r Speaker that the Governor was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That Philip Hammond, Esq; and Fourteen more, do present the Address.

Col. Tasker, from the Upper House, delivers to M.^r Speaker the following Message, viz.^t

By the Upper House of Assembly, April 16, 1756.
 Gentlemen,

In Answer to your Message of this Day, by Mess.^{rs} Tilghman and Bracco, we must observe, that when you speak of the daily Increase of the heavy Public Debt by our sitting here to spend our Time in a Method of Proceeding, which you conceive, beneath the Dignity and inconsistent with the Candour which ought to be preserved between the Branches of the Legislature, we apprehend you cannot mean to throw any Reflection upon the Conduct of this House, since near seven Weeks of this Session were expired, before your Bill for raising a Supply for his Majesty's Service (and for which Purpose we were principally convened) was sent up to us, and to which we sent you a Message stating Objections as soon as it could well be considered. How unparliamentary our Message may be, must be submitted to better Judges of those Matters than either your House or ours; but as we have proceeded in such Mode as might conduce to the more easy Passage of the Bill, we shall rest contented with having done, in this Instance, what we apprehend to be Right, in pointing out to you such Objections as, if not removed, must be fatal to your Bill, and therefore can only now say, that as those Objections, already made to the Bill, are such as are reasonable and

just, we do not look upon ourselves as obliged to give any other until we know whether they will be removed or not.

L. H. J.
Liber No. 48
April 16

However, to put Matters upon such a Footing between us as may prevent future Controversy, and shew that we are ready and willing to do every Thing in our Power towards the Relief of those poor unhappy People upon the Borders, and for his Majesty's Service in general, we must observe to you, that the Objections we have made to your Bill were such as then occurred to us; and as your Bill is long and complicated, as you yourselves say, we think it was but consistent with common Prudence to express ourselves as we then did, that we might not be precluded from making any further Objections, if we should discover such as were material to make, upon a further Consideration of the Bill, and not with Intent to treat you in a Manner inconsistent with the Dignity of this House; therefore we desire you would give us some Answer to those Objections mentioned in that Message, that Matters may be brought to some Conclusion between us.

Signed per Order, J. Ross, Cl. Up. Ho.

On reading the said Message, Ordered, That an Answer be prepared thereto, and that the Committee of Laws do prepare and bring in the same. p. 233

The House adjourns until the Morrow Morning at 8 of the Clock.

Saturday Morning, 17th April, 1756.

April 17

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Reynolds.

M.^r Beall appeared in the House.

M.^r Bracco, M.^r Lloyd, and M.^r Govane, have Leave to go home.

On Motion, That an Address be prepared to his Excellency, to request him to lay before this House a particular Account of what Acts of Assembly of this Province were Transcribed by Order of his Majesty in Council, and sent Home authenticated: Ordered, That such Address be prepared, and that the Committee of Laws do prepare and bring in the same.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

Herewith you receive an Account of the Expences that have been occasioned by my stationing Horses and contracting with Couriers last Spring, for the Dispatch of Intelligence from Will's-Creek to Annapolis and back again to Will's-Creek, agreeable to the Desire of General Braddock, and the Sentiments of your House; and also of the Money that I have been obliged to pay Expresses for this Year

L. H. J.
Liber No. 48
April 17
p. 234

past, for carrying Letters directed for his Majesty's Service; which Account you will be pleased to take under your Consideration, and reimburse me what I have expended on such Occasions.

April 16.th 1756

Hor.^o Sharpe.

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, A Supplementary Act to the Act entituled, An Act empowering the Justices of Worcester County to levy on the taxable Inhabitants of Allhallows Parish, &c. and the Bill entituled, An Act empowering the Justices of Somerset County to levy not exceeding 20,000 lbs. of Tobacco, upon the Taxable Inhabitants of the said County for the Use therein mentioned severally indorsed by the Upper House of Assembly, April 17, 1756. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bills were severally read here, and passed for ingrossing. The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The following Message, viz.

By the Lower House of Assembly, 17th April, 1756.

May it please your Honours,

The Bill for granting a Supply for his Majesty's Service and our Safety, now under your Consideration, it is true, took us up a good deal of Time; and perhaps a Week spent in an imperfect Consideration, may not be thought inadequate to near Seven in drawing and framing it. We are glad to find that you apprehend we did not mean to throw any Reflection upon the Conduct of your Honourable House, as mispending the Time you took in considering the Bill, when we mentioned that our deep Sensibility of the Distresses of our Frontier Inhabitants, the Dangers threatening his Majesty's American Dominions in general, and our Concern at the daily Increase of our heavy Public Debt, would not permit us to spend our Time (the Time of this House) in a Method of Proceeding, we conceived, beneath the Dignity and inconsistent with the Candour that ought to be preserved between the Branches of the Legislature; and we are confident every cool Reader must, in this Particular, agree with your Honours. The Method of Proceeding your Honours propose, and would feign draw us into, we ought to take no further Notice of than to repeat, that it is unparliamentary, and to Judges, better than either of our Houses (and to such we should gladly appeal) it must be obvious: But lest others should be prejudiced against our Conduct, by the Plausibility of yours, in Proceeding, as you say, in such Mode as might conduce to the more easy Passage of

L. H. J.
Liber No. 48
April 17

p. 235

the Bill, we shall just take Time to observe, that should we, upon your sending us some of the several material Objections you have to the Bill, proceed, contrary to the established Rules of Proceeding, to take into Consideration those Objections, and even to the contrary, to the undoubted Rights and Privileges of this House, concur with you in all of them, What might reasonably be concluded would be the Consequences Why, most clearly, that according to the Temper you should discover in this House of giving up Rights, your Demands would rise, and after spending a long Time in considering new Objections, and for the Relief of the poor unhappy People on the Borders, and for his Majesty's Service in general, giving up some of the Rights of the Whole, you would still proceed in starting Objections, and we must go on giving up Rights, till you had new formed our Bill; and what Shape it would appear in, when entirely agreeable to your Honours, must remain in Conjecture only. We shall rejoice at an Opportunity of shewing, in any regular Way of Proceeding on this Bill, how much we have at Heart, his Majesty's Service in general, the Safety and Welfare of this Province in particular, and more especially the Relief of our poor distressed Inhabitants on the Western Frontier, from the horrible Effects of Savage Cruelty. But in our Resolution, not to proceed in an unheard of, unparliamentary and endless Method of obviating old and receiving new Objections, we firmly persist; and hope, after your Honours have taken up such Time in considering the Bill, as to be able to make all your Objections, you will proceed in such regular Manner as may conduce to an happy and speedy Conclusion of this important Affair.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Being read, the Question was put, Whether the House Approves of the same, or Not? Resolved in the Affirmative.

For the Affirmative,

J. Reeder,	Edmondson,	Dulany,
Hynson,	Edge,	Jordan,
Williamson,	Travers,	Lloyd,
Wallis,	Tolley,	E. Tilghman,
Hammond,	Govane,	Bracco,
Hall,	Smith,	Crabb,
Gassaway,	Earle,	Chapline,
Carroll,	Baker,	Sprigg,
Stoddert,	Ward,	Jenifer.
Handy,	Addison,	
M. Tilghman,	Murdock,	

31

For the Negative,

R. Henry,	J. Dennis,	Casson.	3
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L. H. J.
Liber No. 48
April 17

Which Message was sent to the Upper House by M.^r Matthew Tilghman and M.^r Carroll.

M.^r Matthew Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

M.^r Murdock, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

Upon considering your Excellency's Account, this Day laid before us, for Transcribing, by Order of his Majesty in Council, the Acts of Assembly of this Province, we think it needful to have a List of all the Titles of all the Laws which were Transcribed, that we may know what Laws were transmitted as being Laws in Force in this Province.

p. 236 And therefore humbly request your Excellency will be pleased to order such List to be laid before this House.

Which was read and assented to, and signed, by Order of the house, by the Honourable Speaker.

Ordered, That M.^r Earle and Capt. Jenifer do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That Capt. Stoddert, with Three more, do present the Address.

The House adjourns until Monday Morning at 8 of the Clock.

April 19

Monday Morning, 19th April, 1756.

The House met according to Adjournment: All the Members appeared as on Saturday, except M.^r Bracco, M.^r Lloyd, M.^r Govane, M.^r Benjamin Mackall, Col. Scarborough, and Major Evans.

M.^r Thomas Reeder, M.^r Benjamin Handy, and M.^r Bordley, appeared in the House.

His Excellency communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

In Answer to your Address of the 17th, I must acquaint you, that I have received no perfect List of the Titles of all the Laws,

which were Transcribed and Transmitted Home, by Order of his Majesty in Council; however, I can assure you, that all possible Care was taken in Revising them, that none might be Transmitted but such as were and remained in Force: But if any Error should possibly have happened, it will be easily corrected, by our making a Provision for, and Ordering, a general Revisal of our Acts of Assembly, which, I believe, is by every Body thought highly expedient and necessary, and which, I therefore, recommend to your Consideration. In the mean Time, if you please, and will undertake to defray the Expence thereof, I will write Home for a compleat List of those, that, in obedience to his Majesty's Order, I got Transcribed and Transmitted; or if that will afford you any Satisfaction, I will shew any Members of your House what Lists, Minutes, or Papers, relating to the Laws, I have in my Hands.

L. H. J.
Liber No. 48
April 19

19.th April 1756

Hor.^o Sharpe.

The House adjourns till Two of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On reading his Excellency's Message of this Day; on Motion, Ordered, That the Committee of Laws do prepare and bring in an Address, in Answer thereto.

His Excellency communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

The inclosed Letter and Copy of a French Officer's Instructions, who was lately killed in Virginia, will inform you what a deplorable Situation the back Inhabitants of these Provinces are in, and what daring attempts we may reasonably expect the Enemy will be encouraged to make on us, if Measures are not speedily taken to prevent and oppose them.

I must also beg Leave to remind you of the unhappy Condition of many of the late Inhabitants of Nova-Scotia, whose humble Petition you have had some Time before you, and at the same Time that I recommend to your Consideration a Copy of an Act of Assembly that has been made in Pennsylvania for the Relief of as many of those People as were imported into that Province, I would advise you to prepare a Bill for preventing or deterring those that were sent hither from leaving the Counties into which they have been, or may be, distributed, and for punishing such of them as may presume to travel to, or be discovered near, our Western Frontiers.

p. 237

19.th April 1756

Hor.^o Sharpe.

Which was read, and ordered to lie on the Table.

L. H. J.
Liber No. 48
April 19

Col. Hammond, from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c. indorsed, By the Upper House of Assembly, April 9, 1756. Read the first Time, and ordered to lie on the Table.

Signed per Order, J. Ross, Cl. Up. Ho.

And thus, By the Upper House of Assembly, April 19th, 1756. Read the second Time, and will not pass.

Signed per Order, J. Ross, Cl. Up. Ho.

And the following Message, viz.

By the Upper House of Assembly, April 19, 1756.

Gentlemen,

As the Bill for his Majesty's Service must be acknowledged to be of great Importance in the common Cause against our Enemies, and to this Province in particular, we are much concerned, that the Method we have taken to communicate our Sentiments to you thereon, should not be agreeable to you, and more so, when we are suspected of being capable of endeavouring to draw you into Measures contrary to the established Rules of your House, and destructive of the Rights and Privileges of it, by continuing to start new Objections, and rising in our Demands upon you, as we find you give Way to the Removal of those already made, until we had new formed your Bill; a Suspicion so unworthy, that, as we are conscious of the Injustice of it, so we think it not deserving of any further Notice; and therefore, Gentlemen, as we have neither Leisure nor Inclination to enter into Controversies with you, which can produce no good Effect towards the End of our being called here, and having made what Objections we have to your Bill, and such as we apprehend must clearly obviate the Imperfection of it in many Parts, to which you seem determined to give us no Answer, because we have not been so fortunate as to make use of the Word all, we conceive nothing remains for us to do now, but to be quite regular and parliamentary in our Proceedings, and to return your Bill with a Negative; taking it for granted, that our Objections made to it, and not removed, or attempted in any Sort to be removed, will well justify our Conduct, and clearly evince to all impartial and indifferent Persons how fruitlessly we have done our Endeavour, for the Relief of those distressed People on the Western Frontiers from Savage Barbarities, for the Protection of the Province from the Invasion of a Foreign Enemy, and towards the Support of his Majesty's undoubted Rights on this Continent.

Signed per Order, J. Ross, Cl. Up. Ho.

M.^r Matthew Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker the ingrossed Bill entituled, A Supplementary Act to the Act entituled, An Act empowering the Justices of

Worcester County to levy on the taxable Inhabitants of Allhallows Parish, &c. and an ingrossed Bill entituled, An Act empowering the Justices of Somerset County to levy not exceeding 20,000 lbs. of Tobacco, &c. which Bills were severally read and asented to, and sent to the Upper House, with the Paper Bills thereof, by M.^r Waggaman and M.^r Benjamin Handy.

L. H. J.
Liber No. 48
April 19
p. 238

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved and ordered to be ingrossed.

The House adjourns until the Morrow Morning at 8 of the Clock.

Tuesday Morning, April 20th, 1756.

April 20

The House met according to Adjournment, &c.

Major Dennis and M.^r Baker have Leave to go home.

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We are extremely sorry we cannot allow of your Excellency's Charge for Transcribing and Transmitting the Laws imagined to be in Force in this Province, without having a perfect and exact List of the same laid before us.

We are, indeed, fully convinced that a Revisal of our Laws is highly necessary; but the Session is now too far spent to take them under our Consideration.

But, as it is uncertain, whether those Laws, Transcribed and Transmitted by your Excellency's Order, really were and remained in Force, we think it not justifiable to put our Constituents to the Expence of sending for a List of them.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Ordered, That M.^r Bordley and Capt. Jenifer do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor was pleased to signify he would receive the Address in an Hour's Time in the Conference Chamber.

L. H. J.
Liber No. 48
April 20

On Motion, for Leave to bring in a Bill For Dispossessing Popish Priests and Jesuits of their Estates, and for Banishing them out of this Province, was granted. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Ordered, That M.^r Murdock, with Three more, do present the Address to his Excellency.

On Motion, the Question was put, Whether the Articles allowed by this House for Expresses paid by the Governor, shall be entered in the Journal of Accounts, or Not. Resolved in the Affirmative.

For the Affirmative,

T. Reeder,	Dennis,	Bordley,	
Hynson,	Waggaman,	Dulany,	
Williamson,	M. Tilghman,	E. Tilghman,	
Stoddert,	Edge,	Casson,	
Jordan,	Travers,	B. Handy.	
Jenifer,	Earle,		19
Handy,	Ward,		

For the Negative,

Hammond,	Addison,	Chapline,	
Hall,	Murdock,	Beall,	
Carroll,	Fraser,	Sprigg.	
Gassaway,	Hawkins,		13
Edmondson,	Crabb,		

p.239 The House adjourns until the Morrow Morning at 8 of the Clock.

April 21

Wednesday Morning, 21st April, 1756.

The House met according to Adjournment: All appeared as Yesterday, except M.^r Baker, M.^r John Handy, and M.^r Bordley.

M.^r Lloyd appeared in the House.

The Journal of Accounts was sent to the Upper House by M.^r Stoddert, with Two more.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same; which was read the first Time, and ordered to lie on the Table.

The House adjourns until the Morrow Morning at 8 of the Clock.

Thursday Morning, 22^d April, 1756.

L. H. J.
Liber No. 48
April 22

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Waggaman, M.^r John Reeder, and Capt. Dennis.

Col. Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for Quietting the Differences that have arisen, or may hereafter arise, between the Inhabitants of this Province and the several Indian Nations, and for punishing Trespasses on their Lands; which was read the first Time, and ordered to lie on the Table.

His Excellency communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I have not, agreeable to my Expectations, yet received from all the Officers of the Ranging Parties on our Frontiers, proper Accounts and Returns of the Men under their Command; but as the Estimates some Time since laid before you, and the Papers herewith sent, will shew you, that, in Consequence of the Letters of Credit which I gave the Officers, confiding you would enable me to support such Parties till something more effectual can be done for the Protection of the back Inhabitants, I must, ere this, be made liable to the Payment of more Money than was granted by the two Ordinances: I hope you will not hesitate to make some farther Provision for the Support of those Parties, and my Reimbursement.

April 22^d, 1756

Hor.^o Sharpe.

On reading the said Message, Ordered, That an Address be prepared to his Excellency in Answer thereto, and that the Committee of Laws do prepare and bring in the same.

The Bill entituled, A further additional Supplementary Act to an Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs and for Limitation of Officers Fees was read the second Time, and will pass; and was sent to the Upper House by M.^r Edmondson and Major Travers. p. 240

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Bracco appeared in the House.

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for preventing the Evils occasioned by Masters of Ships, Sloops or other vessels their Officers Skippers and Sailors dealing with or entertaining Servants or Slaves; indorsed

L. H. J.
Liber No. 48
April 22

thus, By the Upper House of Assembly, April 19, 1756. Read the second Time, and will pass, with the following Amendments: The Fines and Forfeitures mentioned therein, to be one half to the Right Honourable the Lord Proprietary, his Heirs, and Successors, for Support of Government; the other half to the Informer, or him or them, that will sue for the same.

Signed per Order, J. Ross, Cl. Up. Ho.

Major Hall, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

M.^r Matthew Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address, viz. To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message of this Day, we beg Leave to acquaint you, that as we have a Bill before us, almost ready to be sent to the Upper House, well calculated to protect our Frontiers, which, if passed into a Law, will render the Ranging Parties, at present there, of no Use:

We, therefore, hope your Excellency will excuse our not granting any more Money by Way of Ordinance, as a Method so much more regular and effectual, is on the Point of Perfection.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Edmondson and Capt. Jenifer do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker that his Excellency was pleased to signify he would receive the Address in an Hour's Time in the Conference Chamber.

Ordered, That M.^r Dulany, with Three more, do present the Address to the Governor.

The House adjourns until the Morrow Morning at 8 of the Clock.

April 23

Friday Morning, 23^d April, 1756.

The House met according to Adjournment, &c.

p. 241 The Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and Striking Thirty four Thousand and fifteen Pounds Six shillings thereof in Bills of Credit

and raising a Fund for sinking the same was read the second Time, and will pass; and, with the following Message, viz.

L. H. J.
Liber No. 48
April 23

By the Lower House of Assembly, 23^d April, 1756.

May it please your Honours,

We are not less concerned than your Honours, that your Sentiments on a Bill of such Importance, as that sent up by us for his Majesty's Service in general, and our Security in particular, should be communicated to us in a Method not only disagreeable to us, but such as must be disagreeable to this House as long as either established Rules, or Reason, exists.

The Suspicion of your being capable of endeavouring to draw us into Measures, contrary to the established Rules, and destructive to the Rights and Privileges of our House, so naturally arising from the Method of Proceeding proposed in your Message, tho' we would willingly forget, we are afraid must appear to be too well grounded to every judicious Reader.

We are extremely sorry to find your Honours, after saying you have neither Leisure nor Inclination to enter into Controversies with us, immediately proceeding to justify your own, and blame our Conduct, in the Dispute between us; a Behaviour which can tend to nothing but to promote Controversy.

Our Determination not to give you any Answer to what Objections you mentioned against our Bill, did not proceed, as you are pleased to say, from your Honours not having been so fortunate as to make use of the Word *all*, but very justly from your having been so unfortunate, or whatever you'll please to term it, as to make use of the Word *some*.

If your Honours had at first, or afterwards, when we desired it, said, as you did in your last Message, that you had made what Objections you had to our Bill, we should immediately have considered them, and we are persuaded should have found Means to have obviated such as we thought unreasonable; and we cannot see why you might not as well have kept the Bill till you had known our Result upon that Message, as to have sent it then down with a Negative: Nor do we apprehend, tho' you take it for granted, because we had refused to answer your Objections, when you told us you had taken Notice of and particularized only some of them, that those Objections, not being removed, will justify your Conduct, when, by sending down the Bill with your Negative, with the only Message whereby we could understand you had no more Objections to make to it, you precluded us from falling upon any regular Method of Proceeding, which might have brought about the desired Event as to that Bill. But as we are still earnestly desirous to relieve the unhappy People on our Frontier from their Distresses, and to prevent, if possible, the Desolation of that Part of our Country, as

L. H. J. well as to demonstrate our Willingness to do every Thing in our
 Liber No. 48 Power towards the Support of his Majesty's undoubted Rights on
 April 23 this Continent, we herewith send your Honours another Bill, well
 calculated for those important Purposes, which we doubt not will
 meet with your ready Concurrence.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Philip Hammond, Esq; and
 Nine more.

p. 242 On Motion, Ordered, That an Address be prepared to his Excel-
 lency, in Answer to his Message of the 19th Instant, and that the
 Committee of Laws do prepare and bring in the same.

The House adjourns until Two of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Carroll, from the Committee of Laws, brings in and delivers
 to M.^r Speaker an Address to the Governor; which was read, ap-
 proved, and ordered to be ingrossed.

Col. Hammond, from the Upper House, delivers to M.^r Speaker
 a Bill entituled, An Act to prevent the Growth of Popery within
 this Province; indorsed, By the Upper House of Assembly, April 23^d,
 1756. Read the second Time and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was read here the first Time, and ordered to lie on the
 Table.

Major Hall, from the Committee of Laws, brings in and delivers
 to Mr. Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander
 in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Message of the 19th Instant, we beg Leave to
 acquaint your Excellency, that we are truly sensible of the deplor-
 able Situation of the back Inhabitants, and desirous to do every
 Thing in our Power for their Relief, and earnestly hope, that the
 Bill, just prepared by us, and sent to the Upper House, will meet
 with Concurrence, and sufficiently provide for repelling the daring
 Attempts that may be expected from the Enemy. We shall imme-
 diately proceed to take under our Consideration the Condition of
 the late Inhabitants of Nova-Scotia sent into this Province, and
 endeavour to fix on some Expedient for their Relief, and to prevent
 their leaving the Counties into which they have been distributed,
 and to punish such as may be discovered on the Frontier of the
 Province.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

L. H. J.
Liber No. 48
April 23

Ordered, That Philip Hammond, Esq; and Major Hall, do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will be pleased to receive it: They return and acquaint M.^r Speaker that the Governor was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That Major Travers, with Three more, do present the Address to the Governor.

The House adjourns until the Morrow Morning at 8 of the Clock.

Saturday Morning, 24th April, 1756.

April 24

The House met according to Adjournment, &c.

The Bill entituled, An Act for Quieting the Differences that have arisen, and may hereafter arise, between the Inhabitants of this Province and the several Indian Nations, &c. was read the second Time, and will pass; and was sent to the Upper House by Capt. Stoddert and Major Hynson. p. 243

Col. Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act continuing an Act entituled, An Act directing the Manner of punishing Fornication and Adultery before a single Justice of the Peace out of Court; and a Bill entituled, An Act continuing an Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer; which Bills were severally read the first Time, and ordered to lie on the Table.

His Excellency the Governor communicates to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I am sorry to find by your Address of the 16th, that the Answer I returned to your last on this Subject, did not give you entire Satisfaction, and to hear you still complaining of those Acts of Benevolence and Lenity, which I little thought, at the Time they were done, would be so much excepted against by your or your Constituents. As the first or historical Part of your Address relates to Matters that occurred long before I had the Honour to be known in this Province, I hope it is not expected that I should particularly Answer it, or be accountable for the Transactions of those Days; but what appears to be a more reasonable Talk, I desire not to be excused from, and shall chearfully undertake to vindicate and justify, as well as I am able, my own Conduct.

L. H. J.
Liber No. 48
April 24

To begin then with the Affair of the Criminal in St. Mary's County, which, according to your minute Detail, was thus: He had, by repeated Acts of Villainy, rendered himself so obnoxious to the People among whom he lived, that when he fled from Justice, a Contribution was made, and a Reward offered, by the Gentlemen of the Neighbourhood for apprehending him: Upon his Conviction, the Principal of these Gentlemen were in vain applied to, and desired to solicit his Pardon: Afterward the Criminal changed his Religion, and then those, or some of those very Gentlemen, who had before declined soliciting his Pardon, petitioned me to grant a Reprieve, without acquainting me with the Circumstance of his being a Convert to the Church of Rome, and that he was thereby become Guilty of High-Treason; which, it should seem, in your Opinion, clearly shews, that the unhappy Wretch did, upon the Merit of becoming a Proselyte to the Popish Religion, obtain the Reprieve the Benefit of which he now enjoys; and that therefore, I suppose, I ought to suspect the Loyalty of those who recommended him for Mercy, tho' they had, on all Occasions before, shewn the firmest Attachment to his Majesty, and Zeal for the Protestant Religion.

That the Gentlemen you allude to should offer a Reward for apprehending a Felon, whom they desired to have brought to Justice, does not seem at all strange; and perhaps you would have thought, that, from their making Application afterwards in the same Person's Favour, no Conclusion ought to be drawn to their Prejudice, if you had recollected or heard, that in 1739 the Honourable the Speaker, and most of the House of Delegates, waited on his Excellency the late Governor, to solicit and obtain a Pardon for a most notorious Offender, then under Condemnation, for apprehending whom a very large Reward had been offered and given by Virtue of an Act of Assembly specially made for that Purpose: From the Circumstance, then, abovementioned, I conceive, it cannot be fairly deduced; and as you have not thought proper by other Arguments to prove, that the Gentlemen who made Application to me in Favour of the Criminal in St. Mary's County, did, when they made such Application, really know that he had changed his Religion, and on that Account make it, I am afraid you have been a little too hasty in resolving that the Motives you were pleased to suggest, and no other, did or could induce those Gentlemen to make such Application. I have had an Opportunity of speaking to the worthy Person, whom you, I presume, distinguish by the Title of Lawyer and Judge, and am convinced, that at the Time of signing the Petition he was a Stranger to what you do not say, but would insinuate, he was acquainted with: And tho' all the other Gentlemen may not have been ignorant of that Matter, yet, I am satisfied, that it was not one of the Motives that induced them to subscribe the Petition. I have already assured you, and indeed you do me the Justice to believe, that I was not

apprized of the Criminal's being a Roman Catholic, when I granted him a Reprieve; but really if I had, I do not think I should have ordered him to be executed purely on that Account: For, tho' my own Principles, as well as Duty, will incline and oblige me to countenance and encourage, as much as lies in my Power, the Propagation of the Established Religion; yet, I cannot promise you, that either in administering Justice I will distinguish one Sect from another, or that when a Person appears, or may be represented to me, as a proper Object of Mercy, it shall be my first Enquiry, Whether he is of the same Sentiments in Religion as myself. What has been already said, would, I am inclined to think, convince every impartial Person, that you have not even yet elucidated the First of the Three particular Facts, which were, according to your Account, notorious Instances of the Prevalence and Power of a Popish Faction, and of Partiality shewn them. But, lest you should be displeased at my having hesitated to believe what you advanced in your first Address on this Subject, till you should produce some extraordinary Evidence in Support of the Facts, then barely asserted, I shall communicate to you what I know for certain in Relation to this Affair, and am not without Hopes, that you yourselves will, on perusing it, excuse my Incredulity: After Edward Caster, the Offender mentioned so often, had been convicted of Felony, and thereupon condemned, his Wife came to Annapolis, and in the most pathetic Terms implored Mercy for her Husband, and intreated me to pity herself and Family, who, by the Execution of the Sentence pronounced against him, would be reduced to the utmost Distress and Misery. I must acknowledge I could not see and hear the wretched Woman without some Emotion; and, tho' it should be deemed a Fault, I will not deny that I told her, if she could get the Judges, who condemned her Husband, to make any Representation in his Favour, I should, perhaps, be prevailed on to extend my Mercy towards him: Upon this, the poor affectionate Wife hastened to throw herself at the Feet of the Gentlemen, by whose Intercession alone she found her Husband could be saved; and, addressing herself to them severally, as she had done to me, at length prevailed with them to shew that they were not insensible or destitute of Humanity, and to take such a Step as tended to alleviate her Afflictions, and expose themselves (as it has proved) to the Censure of some who were pleased to take Offence thereat. As M.^r Key seems to be more particularly hinted at in your Address than the other Gentlemen, I must do him the Justice to observe to you, that he was the last that signed the Petition, and moreover, wrote to me, desiring the Criminal might receive no Benefit therefrom, unless he should immediately depart the Province, and never return again; which Condition, I presume, was accordingly complied with.

L. H. J.
Liber No. 48
April 24

L. H. J.
Liber No. 48
April 24

In Answer to your Remark on the second Fact, adduced to shew the Prevalence of a Popish Faction, I shall repeat what I before told you, that those who interested themselves in the young Fellow's Favour, were most of them Protestant-Gentlemen of the Neighbourhood, which, I have heard, has been confirmed to you by a Member of your own House: The Delinquent was a Youth; the Son of a Gentleman who had been universally esteemed; 'twas said to be his first Fault; whether he was made a useful Evidence against Crawford, I never enquired, nor shall concern myself about it: Let it suffice, that I was informed he could be an Evidence; and, tho' the Youth might have imposed on his Friends, by telling them that he had been privy to a Roguery of that Villain's, when he had not, or might, on the Trial, have pretended Ignorance to skreen him, I do not conceive that either myself, or the Gentlemen who applied to me in his Behalf, are accountable for such his Behaviour.

p. 245

I must also beg Leave to repeat what I before observed on the Case of that Woman, who is produced as the third Instance of Partiality shewn to Persons of a different Persuasion from my own, since my Administration: She was married to a very loose and extravagant Man; her Husband had been brought up by, and depended upon, an Uncle; the Wife went with a forged Letter of Credit, signed with the Name of the Uncle, to M.^r Roundell's Store, and in Virtue of that Deceit, obtained Credit for some Goods. This she did, as there was Reason to suppose, with the Privity or by the Compulsion of a necessitous and base Husband: So, had the Prosecution been carried on, the simple Wife might possibly have been punished, while the more guilty Husband escaped with Impunity. I have been since informed, that, if the Woman had been brought to her Trial, she must, in all Probability, have been acquitted. But, whatever might have been the Event of a Trial, I do not apprehend that in granting a *Noli Prosequi*, I exercised any Power against the true Spirit of a British Constitution; and I flatter myself you will not widely differ from me in that Opinion, if you coolly consider the Case, and not take into such Consideration the Woman's Religion. I have already told you, that when Application was made to me in her Favour, I was a Stranger to her Religious Principles; and I have been assured by the Gentlemen who spoke to me about her, that they were also unacquainted therewith. M.^r Roundell, I observe, has suppressed some Truths; and, on some Account or other, has not, by his Deposition, informed you of the whole Part that he acted, or how far he was concerned, in having a Stop put to the Prosecution: To supply such Defect in his, I send you another Deposition; from which, and a Letter in M.^r Ridout's Hands, which he will shew any Gentlemen that will ask him, may be seen what Grounds I had for what was heretofore said concerning M.^r Roundell.

I thank you for candidly informing me, what some People expect and desire with regard to M.^r Henry Darnall, and his Brother, who were both promoted to Places of Trust and Profit within this Government by my Predecessors: Had you also shewn, that they have not duly and impartially executed such Offices, I should, indeed, have thought that your Expectations were not in the least unreasonable.

L. H. J.
Liber No. 48
April 24

I am told, that since M.^r Darnall's Son, who went to a foreign University for Education, has finished his Studies and returned to his Father, he has taken the Oaths, and by his Professions, and Attendance on Divine Service at the Parochial Church, gives all possible Proof of his being a sound Protestant. However, for my own Part, I think none of our Youth should be sent or suffered to go to Foreign Popish Seminaries; and I promise you, that whenever you shall think proper to prepare a Bill to prevent it, I shall readily give my Consent to its being Enacted into a Law. As to M.^r Darnall's Brother, I cannot learn that he has sent any of his Family Abroad to be Educated in Principles that he himself disavows, and am given to understand that he suffers no Priest to come to his House: I will also, if such a Caution be necessary, recommend it to him to be particularly careful to keep his Children from any Company, whose Conversation might possibly instill Notions into their Minds, that he, as a Protestant, must condemn: And as I do not, upon Enquiry, find, that he is at all disagreeable, or has rendered himself obnoxious, to that Part of the People among whom the Office he holds obliges him to reside, or that any Body could recommend a Person better qualified to discharge the Duty of that Office, or who would do it with greater Integrity and Impartiality, I have not fixed on any Gentleman whom I would appoint his Successor.

Now I have gone through that Part of your Address, which seemed more particularly to concern myself, and which, for that Reason, I have taken more particular Notice of; permit me to make a few Observations on the other and less interesting Parts also: The Prorogation of the Assembly so soon after I returned an Answer to your first Address on this Subject, you will be pleased to remember was at your own Request; and tho' it precluded you from the Possibility of making a Reply that Session, yet it afforded you an Opportunity, and gave you Time, to examine thoroughly into the several Facts mentioned as well in your Address as in my Answer, and might have prevented your insisting a second Time on any Matters, of the Truth of which you were not absolutely certain. p. 246

I cannot pass over that Period where you tell me, That tho' you had been mistaken as to some inconsiderable Circumstances, you think there would have been no Room to Triumph, without intimating to you, that, if that Sentence be addressed to me, it might have been spared; for I can assure you, that tho' you should be mistaken

L. H. J. even in material or considerable Circumstances, I will not Triumph;
Liber No. 48 That I neither have done nor desire to do over any but our King's
April 24 or Country's Enemies and I persuade myself you will never come
under that Denomination.

I now proceed to make a Remark or two on the explicit and extensive Disquisition, by you entered upon, to shew that the Evil you complained of is very inveterate, and hath long called for Redress.

It will not be disputed, that from the first Settlement of the Province down to the Revolution, Offices of Profit and Trust were some Times conferred on Persons of the Romish Faith, and some Times on Gentlemen of a different Persuasion; and I also agree with you, that, considering the Times, and the general Toleration here in those Days allowed, it is not greatly to be wondered at. However, it will, on Enquiry, be found, that whether the Administration of Public Affairs was in the Hands of Protestants or Papists, or both indifferently, when their Country was in Danger from an Invasion, Europeans or Savages, they exerted themselves unanimously in opposing the common Enemy, and as none thought himself, in those instant Days of the Colony, more remote than another from Danger, they generously hastened to each other's Assistance; and they, who did not expose their Persons, never refused or scrupled to make such Satisfaction and Allowance to those who did, and who, in Obedience to the Laws, and their superior Officers Commands, were obliged to do so, as was reasonable and adequate to their respective Services. But, during this Period, the Priests were permitted to accept or purchase Landed Estates, which they were allowed to hold after the Revolution, when the Government of this Province was immediately in the Crown, and were not compelled to relinquish or resign even when his late Majesty was pleased to restore it to the present Lord Proprietary's Honourable Father, the late Lord Baltimore: Who was to blame, and how it happened, that these People have, at Times, been suffered to enlarge their Possessions by Purchase or Donation, the Journals of the Assembly-Proceedings, at such Times, will inform you: At this Season, I hope no Branch of the Legislature would be averse to taking proper Measures to prevent it. In 1716, you say, many Gentlemen were so strongly persuaded, that the Papists were then taking Steps to prejudice the Protestant Government and Religion in Maryland, that they raised a Sum of Money by Subscription to encourage Col. Blackiston to counteract and frustrate such their Designs; which, I conclude, Col. Blackiston effectually did, as I find the Assembly, in an Act that was passed soon after, expressed their Sentiments in these Words: This present General Assembly are fully sensible how deeply they are engaged to his Lordship the Right Honourable the Proprietary, for his so generous and ready Compliance with the most important of our late humble Requests, in committing the Care of all his Public and Private

L. H. J.
Liber No. 48
April 24
p. 247

Affairs, within this Province, entirely into the Hands of well-affected Protestants, to the Disappointment of others, and much to the Peace and Satisfaction of his Majesty's most affectionate Subjects: From which free and public Declaration, I think, it might be presumed, that the Subscribers before spoken of, and other the good and loyal People of the Province, were, at this Time, satisfied, that a Remedy was applied to the Evil, which, you say, was inveterate; and I apprehend, that the Gentlemen, who, in such a Manner, expressed their Gratitude for the Steps his Lordship had taken to remove their Uneasiness, saw no longer any Evil, nor felt any Grievance that loudly called for Redress. Before we proceed to remark on what occurred in 1746, it might not perhaps be improper to premise, that for several Years, preceding that Time, the Roman Catholics had been Favourites of and caressed by the Gentlemen of the Lower House of Assembly, who, in a Message to be seen among their Proceedings, declared to another Branch of the Legislature, They were well assured, that the few of those People here amongst us had it neither in their Power or Inclination to disturb the Peace or Safety of the Province: But, it seems, when the unnatural Rebellion broke out in Scotland, his Excellency Governor Bladen received such Information, concerning the Behaviour of some of them, as made him fear they did not want Inclination to disturb the Public Tranquility, and give the Government Uneasiness; and thereupon, like a careful loyal Gentleman, he issued the Proclamation, from which you have taken your Extract: But how this evinces, that the Jesuits and their Adherents were then treated with extraordinary Lenity and Tenderness by the Governor, or that they still met with Indulgence, I confess myself at a Loss to comprehend.

Having now gone through your long Address, which obliged me to be somewhat more prolix than really I could have wished, I shall also resolve to dismiss this Subject; but cannot do so without assuring you, that while I have the Honour to reside among you in the Character I now bear, you will always find me ready and willing to redress any Evils, which shall appear to be more than imaginary: And as many of you are Magistrates in your respective Counties, and cannot but know by the Circular Letters, which, with the Advice of his Lordship's Council, were some Time since wrote to the County Courts, that Papists have little Reason to expect any Favour, during my Administration, unless they are exceedingly careful not to offend, I hope such of you will acquaint the Rest, and your Constituents, with the Purport of those Letters: In Answer to which the Magistrates assure me, That, after a careful Enquiry and Scrutiny into the Conduct of the People of the Romish Faith, who reside among us, they have not found that any of them have misbehaved, or given just Cause of Offence; and as it will be their Interest to continue quiet, and approve themselves good and loyal Subjects, I flatter my-

L. H. J. self they will avoid every Act or Appearance that may give Umbrage
 Liber No. 48 to the Magistrates, People, or Myself, or make on us the least unfavourable
 April 24 Impression.

But to conclude this, the last Answer I hope of the Sort I shall ever be under a Necessity of making to Gentlemen, whose Representations, Opinions, and Desires, either collectively or separately, will always have their due Weight with me; I desire and hope nothing that I have been obliged to say in my own Justification, will be construed or thought Severity or Tasking. You may depend that it shall be my constant Study and Endeavour to take such Measures as will afford no Room for Reflections on my Conduct. And I most earnestly hope, that you will also proceed in such a Manner as will enable us all to justify ourselves before his Sacred Majesty, our most Gracious Sovereign, whose paternal Care we have so often and so sensibly of late experienced, and who expects and desires no more of us than what common Prudence, and the least Regard for our own Safety and Welfare should lead, nay, would compel us unasked to perform.

24.th April 1756

Hor.^o Sharpe.

p. 248 There was annexed to the foregoing Message the following Deposition, viz.

Prince-George's County, ss.

The Deposition of Henry Darnall, Esq; taken this 29th Day of March, 1756, before me the Subscriber, one of his Lordship's Justices of the Peace for Prince-George's County aforesaid.

This Deponent, being sworn on the Holy Evangelists of Almighty God, declares, That some short Time after a Presentment had been made, by the Grand Jury of Prince-George's County, against a certain Ruth Bevan or Ruth Blanford, the Wife of Charles Bevan Blanford, concerning some Goods, which, it was said, that she the said Ruth had taken up of M.^r Samuel Roundell, by Means of a counterfeited Letter, signed with the Name of Charles Bevan, Uncle to the aforesaid Charles Bevan Blanford, as it is said, a certain Thomas Sansbury, Father to the said Ruth, applied himself to this Deponent, then Attorney-General of the Province of Maryland, and after lamenting in very pathetic Terms the Misfortunes and Disgrace that such a Prosecution might bring upon his Family, intreated and much importuned this Deponent to put a Stop to the Proceedings against his said Daughter, saying, that he had heard it was in this Deponent's Power so to do: That this Deponent assured the said Sansbury, that he wou'd or cou'd not stay the said Proceedings; but, that if he, said Sansbury, inclined so much to save the Credit of his said Daughter, he had best apply himself to M.^r Roundell, and in making him the said Roundell Satisfaction for the Goods his

Daughter had been charged with taking, he the said Roundell might possibly consent, that no further Proceedings thereon might be had; and then, under the particular Circumstances of his and his Daughter's Case, perhaps the Governor might be moved to extend his Mercy to her. Afterwards this Deponent, being in Company with the aforesaid Samuel Roundell, informed him the said Roundell, that the aforesaid Thomas Sansbury, the Father of the aforesaid Ruth, had applied to this Deponent, in the Manner as is herein before set forth; and this Deponent well remembers, that the said Samuel Roundell told this Deponent, That it was a Matter of great Indifference and no Consequence to him the said Samuel Roundell to make the Woman suffer, and that all that he the said Roundell desired or wanted, was, to be paid for his Goods. After this Conversation, or a Conversation to this Effect, had between the aforesaid Samuel Roundell and this Deponent, this Deponent not reflecting or even knowing what Religion the said Ruth was of, or what Religion the aforesaid Thomas Sansbury, her Father, profess'd, so little does this Deponent concern himself with the Religious Tenets of others, afterwards had the Honour to mention the Substance of the above Particulars to his Excellency the Governor, in mere Compassion for a distressed Family; and the Governor was pleased to order this Deponent to enter a Noli Prosequi in Favour of the said Ruth, but with this express Injunction, Not to enter the same till M.^r Roundell was paid for the Goods she had been charged with taking.

L. H. J.
Liber No. 48
April 24

This Deponent further saith, That afterwards he informed the said Thomas Sansbury with the Orders he this Deponent had received, and told the said Sansbury, that he was not to hope or expect any Favour for his aforesaid Daughter, unless he the said Sansbury would satisfy and fully pay the aforesaid Samuel Roundell for the Goods aforesaid; and this Deponent afterwards seeing the said M.^r Roundell at the County Court, where the said Ruth was to have been Tried on the Presentment aforesaid, told him the said Samuel Roundell the Orders he this Deponent had received, as aforesaid, from his Excellency the Governor, and asked him the said Samuel Roundell if the said Thomas Sansbury had yet paid or satisfied him for the Goods aforesaid; and the said Roundell answered that He had not: Whereupon this Deponent replied, that unless the said Sansbury did satisfy him for the same, he this Deponent should proceed that Court to make an End of the Prosecution against the aforesaid Ruth, and wou'd bring her to her Trial, or Words to that Effect; but this Deponent further said, if the said Sansbury should then come and pay him the said Samuel Roundell, that he the said Roundell wou'd be pleased to inform him this Deponent thereof, that he this Deponent might, in that Case, put into Execution the Governor's Orders of entering the Noli Prosequi aforesaid. And he this Deponent further saith, that within one or two Hours, or some short

p. 249

L. H. J. Time after, he the said Samuel Roundell came to this Deponent, and
 Liber No. 48 told him, That the aforesaid Thomas Sansbury had agreed to pay
 April 24 him for his Goods aforesaid, and, to the best of this Deponent's
 Remembrance, requested this Deponent to go with them, the said
 Roundell and Sansbury, to see the same settled and adjusted; and
 he this Deponent went accordingly, and saw the same settled, very
 much to the Satisfaction of the said Roundell, as it appeared to this
 Deponent, who then expressed to this Deponent a very grateful Sense
 of the Favour which his Excellency had done him in taking care of
 his Interest, and desired this Deponent to return his the said Roun-
 dell's Thanks to the Governor for the same; and that he this Depo-
 nent might enter the Noli Prosequi as soon as he this Deponent
 pleased: Soon after which, this Deponent entered the same; and
 further saith not.

H. Darnall.
 March 29, 1756.

Sworn the Day and Year aforesaid, before John Cooke.

Col. Tasker, from the Upper House, delivers to M.^r Speaker the
 Bill entituled, An Act for granting a Supply of Forty Thousand
 Pounds for his Majesty's Service, &c. Indorsed, By the Upper House
 of Assembly, April 24, 1756. Read the second Time and will not
 pass.

Signed per Order, J. Ross, Cl. Up. Ho.

And the following Message, viz.

By the Upper House of Assembly, April 24, 1756

Gentlemen,

By your Message of Yesterday it seems to us, that there can be
 no further Intercourse by Message between the two Houses, since
 you are now pleased to tell us in plain and express Terms, That to
 justify our own, or blame your Conduct, can tend to nothing but to
 promote Controversy, we shall not therefore take the Trouble to do
 either, but herewith send you the Bill for granting a Supply of Forty
 Thousand Pounds for his Majesty's Service, and striking Thirty-
 four Thousand and Fifteen Pounds Six Shillings thereof in Bills of
 Credit, and raising a Fund for sinking the same, with a Negative:
 in which, although there are some Alterations from the former,
 there are few or no Amendments, and the same Objections, for the
 most Part, that were made to that Bill, still lie against this, with
 another arising in this Bill, from that Clause giving such extraor-
 dinary Power to a Committee to settle a Land-Tax at their Discre-
 tion, and shall only add, that as we have at least an equal Right to
 Judge of, as you to propose, any Bills, we leave our Conduct to be
 justified or blamed, as it shall appear.

Signed per Order, J. Ross, Cl. Up. Ho.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker the Bill intituled, A further additional Supplementary Act to the Act intituled, An Act for amending the Staple of Tobacco, &c. Indorsed, By the Upper House of Assembly, April 24, 1756. Read the second Time, and will not pass.

L. H. J.
Liber No. 48
April 24
p. 250

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns until Monday Morning at 8 of the Clock.

Monday Morning, 26th April, 1756.

April 26

The House met according to Adjournment: All the Members appeared as on Saturday, except Capt. Tolley, Capt. Smith, Capt. Ward, Capt. Crabb, and Capt. Sprigg.

M.^r Govane and M.^r Reynolds appeared in the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I send, for your Perusal, some Letters that I received Saturday and Yesterday from Virginia; they may perhaps serve to convince you, that the Frontier Inhabitants of that Province are in a most deplorable Situation, and that the Fears of our back Inhabitants also are not altogether without Foundation.

April 26.th 1756

Hor.^o Sharpe.

The Bill intituled, An Act continuing an Act intituled, An Act directing the Manner of punishing Fornication, &c. was read the second Time and will pass; and was sent to the Upper House by M.^r Carroll and M.^r Jenifer.

Col. Henry, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill intituled, An Act to repeal all Laws heretofore made for the Destruction of Crows and Squirrels, so far as relates to the Counties therein mentioned, which was read the first time, and ordered to lie on the Table.

The House adjourns until the Morrow Morning at 8 of the Clock.

Tuesday Morning, 27th April, 1756.

April 27

The House met according to Adjournment, &c.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker the Bill intituled, An Act for Quieting the Differences that

L. H. J. have arisen, and may hereafter arise, between the Inhabitants of this
 Liber No. 48 Province and the several Indian Nations, and for punishing Tres-
 April 27 passes Committed on their Lands. Indorsed, By the Upper House of
 Assembly, April 27, 1756. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was here read, and passed for ingrossing.

On Motion, the Question was put, Whether a Bill shall be pre-
 pared to raise the Sum of Forty Thousand Pounds for his Majesty's
 Service, and to insert therein a Clause, to empower the Sheriff of
 each respective County, to collect the Excise (therein to be men-
 tioned) on Liquors, or Not Resolved in the Affirmative. Ordered,
 p. 251 That the Committee of Laws do prepare and bring in a Bill
 accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The House adjourns till the Morrow Morning at 8 of the Clock.

April 28

Wednesday Morning, 28th April, 1756.

The House met according to Adjournment, &c.

M.^r Paca and M.^r Crabb appeared in the House.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r
 Speaker the Bill entituled, An Act continuing an Act entituled, An
 Act directing the Manner of punishing Fornication, &c. Indorsed,
 By the Upper House of Assembly, April 28, 1756. Read the second
 Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Matthew Tilghman, from the Committee of Laws, brings in
 and delivers to M.^r Speaker a Bill Entituled, An Act for granting a
 Supply of Forty Thousand Pounds for his Majesty's Service, and
 striking Thirty-four Thousand and Fifteen Pounds Six Shillings
 thereof in Bills of Credit, and raising a Fund for sinking the same,
 which was read the first and second Time, by an Especial Order, and
 will pass; and was sent to the Upper House, by Col. Robert Henry,
 and three more.

On reading the following Message, viz.

By the Lower House of Assembly, 28th April, 1756.

L. H. J.
Liber No. 48
April 28

May it please your Honours,

In Answer to your Message of the 24th of April, with which you sent down our Second Bill for granting Forty Thousand Pounds for his Majesty's Service in general, and our own Defence and Security in particular, we cannot conceive why you should conclude, there can be no further Intercourse by Message between the two Houses; however, as we are not inclined to protract Time, we shall now rest our Conduct on our former Messages, which, we are persuaded, will plainly shew, and we hope, our present Behaviour will clearly evince, to all the World, that we always have been, and still are, desirous of doing every Thing in our Power towards obtaining the Passage of a Bill, at this Time so universally desired; and we are convinced, such loyal and benevolent Dispositions are uppermost in the Hearts of our Constituents, as well as our own: That they, as well as we, would rather choose to lay aside for the present any further Contest about their and our Rights and Privileges, nay, to give up Part of them, till his most sacred Majesty's Royal Justice (upon which we entirely rely) shall have restored to us the full and uncircumscribed Enjoyment of them all, rather than see (though far remote from the horrid Scene) the Blood of Fellow Christians and Fellow Subjects streaming, their Chastity defiled, their Youth captivated, their Property snatched away and carried over to the Enemy, or destroyed before their Eyes, at the Will and Pleasure of a handful of barbarous Infidels.

But we cannot forbear to say, that unhappy is the Condition of that People, whose Frame of Government has such Clogs thrown into the Wheels of it, as will not permit such Motions as are absolutely necessary for their own Defence and Security, and that of their Fellow Subjects, and for demonstrating their Loyalty and Affection for the Best of Kings, but at the Expence of their Rights and Privileges. p. 252

And now, that you may no longer deal in generals, we shall take particular Notice of the several Objections you have made against our two above mentioned Bills: We are informed, that the most commodious Part of the Frontier, for constructing a Fort and Block-Houses for the Defence thereof, is on or near the North-Mountain, and not beyond it, as mentioned in our second, and now in this Bill. We have in this, as we did in our second Bill, rated the Pay of a Commissary of Stores. A Pay-Master of the Troops, which may be raised for the intended Expedition, we conceive, may be appointed by the Commander in Chief, and his Salary paid out of the general Stock, which may be contributed by the several Governments towards that Expedition.

L. H. J.
Liber No. 48
April 28

We have in this, as we did in our second Bill, lengthened the Time for keeping up the Troops, from the 25th of December till the 10th of February next; before which Time undoubtedly an Assembly will be called, who will Judge of the Expediency of keeping them up longer; and hope your Honours will not further press a Measure, so unconstitutional as your Proposal of keeping them up at the Will and Pleasure of the Governor or Commander in Chief of those Forces; if you should, we never will consent to it.

We have regulated in this Bill the Pay of the Officers, nearly to what they have in the neighbouring Colonies; and this we did also in the second. The Governor or Commander in Chief of any Expedition that may be undertaken, we apprehend, will have Power to form his Companies as he pleases. Those of the Fort and Block-Houses, we cannot consent to alter, as the multiplying Commanding Officers will too much increase the Expence.

A Fort-Adjutant and Gunner at the Fort we do not conceive necessary; and the Arms, when out of Repair, may be exchanged and repaired at much less Expence than would accrue from keeping a Gun-Smith in constant Pay, at 2/6 per Day, as you propose.

The Surgeon's Pay we have rated at 6 s. per Day, and Medicines found him, which will, we hope, be thought a handsome Reward for his Service, and so it was in our second Bill. We did in our second Bill, and we have in this, made sufficient Provision against Mutiny and Desertion, and the Entertainment of Deserters. To the Election of Collectors of the Duty on Wine and Spirituous Liquors, by the several Vestrymen and Church-Wardens, we had good Reason to hope for your Concurrence, as being a Method readily agreed to in our Inspection-Law; however, as you have twice refused it, we have now appointed, for Collectors, the several Sheriffs, who, as they are Gentlemen already appointed by the Government to such considerable Trust, we conceive, will not be objected to by your Honours; and they are to give Bond in £400 as you propose; and this we do, urged by the Considerations abovementioned; nevertheless, insisting on our undoubted Right to the Nomination of Commissioners or Collectors of every new Tax or Duty, which may be imposed upon the People for any Purpose whatever.

We cannot imagine you will refuse to pass a Bill of the Importance this is of, purely because the Wealthy, Opulent, and Luxurious, are to pay a Duty on some of the Liquors they will consume, as well as the Poor, the Laborious, and the Indigent Part of the Community, on the most they will expend for the Term of Five Years: Nor do we see the dangerous Tendency of such a Tax, as there is not any Power given to the Collectors of it to enter the House of private Consumers on any Pretence; but it depends upon their Integrity to account for the Tax without Molestation, or pay a Sum certain, half

yearly, in Lieu thereof; one or the other of which, we presume, every Well-Wisher to his Country will cheerfully do.

L. H. J.
Liber No. 48
April 28
p. 253

We do not find any Law in Force against bringing into this Province, from Pennsylvania, or the Territories thereto belonging, or from any other Province or Colony on this Continent, any Horses, Mares, Colts, or Fillies, as you are pleased to say there is. We cannot suppose his Lordship would be unwilling that any of his Officers should do any reasonable Act (and for which they have a sufficient Reward given them) towards carrying into Execution any Law calculated for his Majesty's Service in general, and our own Security in particular.

A Clause is inserted in this Bill, as it was in our second, for exempting Persons voluntarily enlisting, and bearing Arms for six Months, from Payment of all Manner of Taxes, from Labouring on Highways, and Payment of Ferriages, for the Space of two Years from the Date of their Discharge.

The Commissioners of the Paper-Currency-Office are by this, as they were by the second Bill, to settle and adjust the Accounts of the Land-Tax-Collectors, in Case of a Disagreement between the Rent-Roll-Keeper and the said Collectors about the Settlement thereof.

We did presume that the exact Quantity of Acres, contained in his Lordship's Manors and Reserved Lands, was well known, and that his Lordship's Agent might, without Difficulty, give an Account thereof; but as you say 'tis impossible for him to do it, we did in our second Bill, and have in this, only obliged him to give an Account of the computed Quantities of such Manors and Reserved Lands.

The Duty on Convicts is in this Bill, and it was so in the second, excepted out of the Clause for Continuance of the several other duties, as you propose, tho' we do not conceive the same contrary or repugnant to the Laws of England.

We have directed by this Bill, and the same was done by the second, a further Tax to be laid on Lands, to make up any Deficiency that may possibly (tho' contrary to our Expectations) happen, on the Funds appropriated to the replacing and bringing in the Sums of Money, granted by this Act, in Five Years, tho' we are not acquainted with any such Instruction from his Majesty, as you say this must be done in Obedience to. And now, May it please your Honours, we must conclude with assuring you, that we have made all the Amendments and Alterations we can agree to; insisting that our present Concession, in answering your several Objections to our Bill, shall not be drawn into Precedent, or any way construed as derogatory to our ancient and undoubted Rights, in Case of all Bills for Grant of Aids or Supplies, to direct, limit, and appoint, in such Bills, the Ends, Purposes, Considerations, Conditions, Limitations,

L. H. J. and Qualifications, of such Grants, which ought not to be changed by
 Liber No. 48 the Upper House; and we sincerely hope, our earnest Desires to testify
 April 28 our Loyalty to the Best of Kings, on the present intended Expedition, will not be frustrated by your Honours. But, if we should unhappily be disappointed, we must comfort ourselves with the Consciousness of having done our Duty, in endeavouring, by every Method, consistent with Prudence, to avert the Ruin that threatens this unhappy Province.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

The Question was put, Whether the said Message shall be sent to the Upper House, with the Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c. or Not Resolved in the Negative.

For the Negative,

T. Reeder,	R. Henry,	Bracco,	
Hynson,	Edge,	B. Handy,	
Williamson,	Paca,	Crabb,	
Wallis,	Govane,	Chapline,	
Hall,	Addison,	Beall.	
Jordan,	Dulany,		19
Jenifer,	Casson,		

For the Affirmative,

Hammond,	Stoddert,	Fraser,	
Gassaway,	M. Tilghman,	Hawkins,	
Carroll,	Edmondson,	E. Tilghman,	
Reynolds,	Murdock,	Lloyd.	12

p. 254 The Bill entituled, An Act to repeal all Laws heretofore made for the Destruction of Crows and Squirrels, &c. was read the second Time, and the Question was put, Whether the said Bill shall pass, or Not Resolved in the Negative.

The House adjourns until the Morrow Morning at 8 of the Clock.

April 29

Thursday Morning, 29th April 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Earle and Major Hall.

Capt. Ward appeared in the House.

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for granting a Supply of Forty Thousand

Pounds for his Majesty's Service, &c. indorsed, By the Upper House of Assembly, April 29, 1756. Read the second Time, and will not pass.

L. H. J.
Liber No. 48
April 29

Signed per Order, J. Ross, Cl. Up. Ho.

And the following Messaze, viz.

By the Upper House of Assembly, April 29, 1756.

Gentlemen,

We are extremely sorry to find, that, after our having refused two Bills, for the Objections we then made to them, you should send us a third, so very little differing from them, that we think ourselves obliged not to pass it: But, in order to convince every unprejudiced Mind, and to demonstrate our strong Inclinations to do every Thing in our Power, for the Service of our most gracious King, and the Defence and Preservation of the Western Frontiers of this Province, at this Time attacked, and in such Imminent Danger from our Enemies, the French and barbarous Indians, whose inhuman Cruelties already practised on our Fellow-Subjects, must raise Horror in any Breast not utterly void of all Sentiments of Compassion, we declare to you, that notwithstanding what has past between the two Houses on the Occasion of those Bills, we are willing, at this critical Juncture, to wave all unnecessary Formalities and Punctilioes in the Mode of our Proceedings; and if you think that a free Conference on the Subject-Matter of the Bill may be any Means to produce so desirable an End, as we would hope is aimed at by us all, or if you can propose any other more eligible Method to remove the Objections, which we have to the Passing of this Bill, we shall readily Concur with you, and endeavour to make such Amendments thereto, as are necessary for the Purposes intended by it.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker the Journal of Accounts, and the following Message, viz.

By the Upper House of Assembly, April 29, 1756.

Gentlemen,

Upon Perusal of the Journal of Accounts, sent up by Capt. Stodert and Others, we find you have omitted making the following Allowances:

L. H. J.
Liber No. 48
April 29

To the Governor the full Allowance of his Account for Rent of the House he lives in: Tho' the present Rent may be something more than usual, you well know the Conveniencies are more; besides, at the Time he arrived here, he could not have been otherwise supplied.

You have denied to allow the Governor Twenty-three Pistoles, for Transcribing the Acts of Assembly now in Force, and Transmitting the same, agreeable to his Majesty's Order in Council. The Journals will make appear this Charge to be trifling, when compared with that allowed of heretofore to Mr. Hart, when Governor, for the same Services.

You have omitted to allow the Part of the Governor's Account, herewith sent, for Money he actually paid for Expresses; and tho' this may be said to be a new Charge, yet, as long as the present Situation of Affairs are likely to continue, it will still remain a just one.

You have omitted to allow 1350 lbs. of Tobacco to the late Governor Ogle, for the Seals of 15 Proclamations, relating to his Lordship's Assent to the Inspection Law.

There is no Allowance made to the Members of the Council of State for their Attendance, or to Mr. Ross, for his yearly Salary, as Clerk of the Council: In this we are the more surprized, as you cannot but know there are several Laws in Force, which require many Services to be done by him as Clerk of the Council.

We don't find any Allowance made to the Militia the Governor ordered out to the Assistance of our back Inhabitants.

We therefore send you the Journal, in Hopes you will make the Amendments in such Manner as it may Pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which was read, and ordered to lie on the Table.

p. 255 The House adjourns until the Morrow Morning at 8 of the Clock.

April 30

Friday Morning, 30th April, 1756.

The House met according to Adjournment, &c.

Major Hall and M.^r Smallwood appeared in the House.

On reading the Message sent down from the Upper House, with the Journal of Accounts, Yesterday, the Question was put, Whether any Alteration shall be made in the Journal of Accounts, from what is already made therein of the Allowance of Rent for the House in which the Governor resides, or Not Resolved in the Negative.

For the Negative,

T. Reeder,
Hammond,
Hall,
Gassaway,
Carroll,
Reynolds,
Smallwood,
Stoddert,

Jordan,
Jenifer,
M. Tilghman,
Edge,
Paca,
Govane,
Ward,
Addison,

Murdock,
Fraser,
Hawkins,
E. Tilghman,
B. Handy,
Chapline,
Beall.

L. H. J.
Liber No. 48
April 30

[23]

For the Affirmative,

Hynson,
Williamson,
R. Henry,

Edmondson,
Travers,
Dulany,

Lloyd,
Casson,
Bracco.

[9]

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The following Message, viz.

By the Lower House of Assembly, April 30, 1756.

May it please your Honours,

As we had, in the Bill last sent up to you, for granting Forty Thousand Pounds for his Majesty's Service, and our own Security, and which you have returned with a Negative, made Alterations in almost every Part of our two former Bills to which you objected, we were in Hopes to have had your Honours Concurrence to that Bill. But since you tell us in your Message of the 29th, accompanying it, That our third Bill is so little differing from the other Two, that you think yourselves obliged not to pass it, we think it necessary now to enumerate all the Amendments we have made, in Consequence of your Objections to our first Bill, and to which you referred when you sent down the others, that it may appear what Alterations we agreed to, and what Concessions we made, even contrary to our just Rights, to obtain a Law for his Majesty's Service, and our own Safety, at this Time of common Danger so absolutely necessary: We are informed, that the most commodious Part of the Frontier, for constructing a Fort and Block-Houses for the Defence thereof, is on or near the North-Mountain, and not beyond it, as mentioned in our second, and also third Bill. We did in our third, as in our second Bill, rate the Pay of Commissary of Stores. A Pay-Master of the Troops, which may be raised for the intended Expedition, we conceive, may be appointed by the Commander in Chief, and his Salary paid out of the general Stock, which may be contributed by the several Governments towards the Expedition.

L. H. J.
Liber No. 48
April 30

We did in our third, as in our second Bill, lengthen the Time for keeping up the Troops, from the 25th of December till the 10th of February next; before which Time undoubtedly an Assembly will be called, who will Judge of the Expediency of keeping them up longer; and hope your Honours will not further press a Measure, so unconstitutional, as your Proposal of keeping them up at the Will and Pleasure of the Governor or Commander in Chief of those Forces; if you should, we never will consent to it.

We regulated in our third Bill the Pay of the Officers, nearly to what they have in the neighbouring Colonies; and this we did also in the second. The Governor or Commander in Chief of any Expedition that may be undertaken, we apprehend, will have Power to form his Companies as he pleases. Those of the Fort and Block-Houses, we cannot consent to alter, as the multiplying Commanding Officers will too much increase the Expence.

A Fort-Adjutant and Gunner at the Fort we do not conceive necessary; and the Arms, when out of Repair, may be exchanged and repaired at much less Expence than would accrue from keeping a Gun-Smith in constant Pay, at 2/6 per Day, as you propose.

The Pay of the Surgeon, at the Fort, we have rated at 6 s. per Day, and Medicines to be provided for him: The Pay of a Surgeon, who shall serve on the Expedition, 12/6 per Day, for himself and Mate, and Medicines found. We did in our second Bill, and that last sent up, make sufficient Provision against Mutiny and Desertion, and the Entertainment of Deserters. To the Election of the Collectors of the Duty on Wine and Spirituous Liquors, by the several Vestrymen and Church-Wardens, we had good Reason to hope for your Concurrence, as being a Method readily agreed to in our Inspection-Law; however, as you had twice refused it, we did in our third Bill, appoint, for Collectors, the several Sheriffs, who, as they are Gentlemen already appointed by the Government to such considerable Trust, we conceived, would not have been objected to by your Honours; and they were to have given Bond in £400 as you proposed; and this we condescended to, urged by the Miseries our Frontier Inhabitants have already experienced, and are hourly in Dread of, and the Danger threatening the whole British Interest in America; nevertheless, insisting on our undoubted Right to the Nomination of Commissioners or Collectors of every new Tax or Duty, which may be imposed upon the People for any Purpose whatever.

We could not have imagined you would have refused to pass a Bill of the Importance that was of, purely because the Wealthy, Opulent, and Luxurious, were to pay a Duty on some of the Liquors they would have consumed, as well as the Poor, the Laborious, and the Indigent Part of the Community, on the most they would expend

for the Term of Five Years: Nor do we see the dangerous Tendency of such a Tax, as there was not any Power given to the Collectors of it to enter the House of private Consumers on any Pretence: But it depended upon their Integrity to account for the Tax without Molestation, or pay a Sum certain, half yearly, in Lieu thereof; one or the other of which, we presume, every Well-Wisher to his Country would chearfully do.

L. H. J.
Liber No. 48
April 30
p. 257

We do not find any Law in Force against bringing into this Province, from Pennsylvania, or the Territories thereto belonging, or from any other Province or Colony on this Continent, any Horses, Mares, Colts, or Fillies, as you are pleased to say there is. We did not suppose this Lordship would be unwilling that any of his Officers should do any reasonable Act (and for which they had, by the Bill, a sufficient Reward given them) towards carrying into Execution any Law calculated for his Majesty's Service in general, and our own Security in particular.

A Clause was inserted in our third Bill, as it was in our second, for exempting Persons voluntarily enlisting, and bearing Arms for six Months, from Payment of all Manner of Taxes, from Labouring on Highways, and Payment of Ferriages, for the Space of two Years from the Date of their Discharge.

The Commissioners of the Paper-Currency-Office were by our third, as they were by the second Bill, to have settled and adjusted the Accounts of the Land-Tax-Collectors, in Case of a Disagreement between the Rent-Roll-Keepers and the said Collectors about the Settlement thereof.

We did presume that the exact Quantity of Acres, contained in his Lordship's Manors and Reserved Lands, was well known, and that his Lordship's Agent might, without Difficulty, give an Account thereof; but as you say it is impossible for him to do it, we did in our second Bill, and also in our third, only oblige him to give an Account of the computed Quantities of such Manors and Reserved Lands.

The Duty on Convicts was in our third Bill, and also in our second, excepted out of the Clause for Continuance of the several other duties, as you propose; tho' we do not conceive the same contrary or repugnant to the Laws of England.

We directed by our third Bill, and the same was done by the second, a further Tax to be laid on Lands, to make up any Deficiency that might possibly (tho' contrary to our Expectations) happen, on the Funds appropriated to the replacing and bringing in the Sums of Money, granted by that Bill, in Five Years, tho' we are not acquainted with any such Instruction from his Majesty, as you say this must be done in Obedience to. If your Honours should still think, that your Objections are not obviated, or by the Amendments made, not sufficiently removed, we are sincerely willing, at this critical Junc-

L. H. J. ture, when barbarous Savages are Depopulating our Frontier, and
 Liber No. 48 at the Instigation of a perfidious Enemy committing the most horrid
 April 30 Cruelties, to wave all Formalities and Punctilioes in the Mode of
 our Proceedings; and shall very chearfully agree to a free Conference,
 not on the Subject-Matter of a Bill sent down with a Negative, as
 proposed by your Honours, but on the Subject-Matter of your Ob-
 jections to our several Bills, in order to bring about the Passage of the
 Bill last sent up; excepting, however, the Tax on Liquors consumed
 by Persons not being Retailers, and the Appointment of Sheriffs to
 be Collectors of Excise, as provided by the last Bill, being Points from
 which we are determined not to depart, and therefore cannot agree
 to confer upon. As we cannot doubt your Honours joining us in
 this Proposal, we presume, you'll Name your Conferees, and acquaint
 us therewith as soon as possible. And now, having agreed to every
 probable Expedient (even the most irregular) for bringing about that
 desirable End, which we hope is aimed at by us all, we must insist,
 that our present Concessions shall not be drawn into Precedent, or
 any way construed as derogatory to our ancient and undoubted
 Right, in Case of all Bills for granting Aids or Supplies, to direct,
 limit, and appoint, in such Bills, the Ends, Purposes, Considerations,
 Conditions, Limitations, and Qualifications, of all such Grants, which
 p. 258 ought not to be changed by the Upper House.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by M.^r Smallwood and Capt. Jenifer.
 The House adjourns until the Morrow Morning at 8 of the Clock.

May 1

Saturday Morning, 1st May, 1756.

The House met according to Adjournment, &c.

Capt. Jordan and M.^r Thomas Reeder have Leave to go home.

On Motion, the Question was put, Whether the Public Debt of this
 Province, allowed in the Journal of Accounts, shall be Levied upon
 the Taxables by Two or Three equal Assessments Resolved, That
 the Publick Debt be collected by Two Equal Assessments.

For Two,

Reeder,
 Hynson,
 Williamson,
 Hall,
 Reynolds,
 Smallwood,
 Stoddert,

Edmondson,
 Edge,
 Travers,
 Paca,
 Govane,
 Ward,
 Hawkins,

Dulany,
 Casson,
 Bracco,
 B. Handy,
 Crabb,
 Chapline,

	For Three,		L. H. J. Liber No. 48 May 1
Hammond,	M. Tilghman,	E. Tilghman,	
Gassaway,	Murdock,	Beall.	
Carroll,	Fraser,		10
Jenifer,	Lloyd,		

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for issuing Writs of Replevin out of the County Courts of this Province; which was read the first and second Time by an especial Order, and will pass.

An ingrossed Bill entituled, An Act continuing an Act entituled, An Act directing the Manner of punishing Fornication, &c. and an ingrossed Bill entituled, An Act for Quieting the Differences that have arisen, and may hereafter arise, between the Inhabitants of this Province and the several Indian Nations, &c. were severally read and assented to, and, with the Paper Bills thereof, and the Bill entituled, An Act for issuing Writs of Replevin, &c. were sent to the Upper House by Capt. Stoddert and M.^r Williamson.

The following Message, viz.

By the Lower House of Assembly, May 1, 1756.

May it please your Honours,

It is no small Concern to us to be obliged to refuse allowing Part of the Governor's Account for House-Rent: We are of Opinion the Circumstances of our Country will not afford paying more than Eighty Pounds per Annum, for House-Rent for a Governor; and as a higher Rent never has been allowed, therefore we cannot exceed that Sum.

It is with equal Concern we are forced to postpone the Allowance of Twenty-three Pistoles to his Excellency, for Transcribing the Acts of Assembly now in Force (as it is said), and Transmitting the same, agreeable to his Majesty's Order in Council. Had we, in Consequence of our Address to his Excellency for that Purpose, received a List of the Titles of those Laws, we should readily have allowed for the Transcribing such as we were of Opinion were in Force; but till we know what Laws were Transmitted, as Laws in Force within this Province, we cannot think ourselves justifiable in making any Allowance on that Account. p. 259

The Particulars of that Part of the Governor's Account for Expresses, which we disallowed, being now laid before us, we have allowed, except £1 : 2 : 6 for Expresses to the Gentlemen of the Council, which, we think, ought to have been delivered to the Sheriffs, who are paid for conveying Public Letters.

We shall never allow any Thing for publishing Assents to Laws, as we apprehend, no Law that has passed the several Branches of the

L. H. J. Legislature here, can receive any additional Force from a Procla-
 Liber No. 48 mation of his Lordship's Assent to it.
 May 1

An Allowance to Members of the Council of State, for their Attendance as a Council of State, we cannot consent to, such Allowance not being warranted by any Law of this Province; but, on the contrary, implicitly denied by the Act of Assembly entituled, An Act for directing the Manner of electing and summoning Delegates, &c. which ascertains the Allowance to Counsellors, whilst serving in the General Assembly of this Province, Delegates, Provincial and County Magistrates.

As you say there are several Laws in Force, which require many Services to be done by M.^r Ross, as Clerk of the Council, when his Account, for such Services, is laid before us, it shall be considered, and every reasonable Allowance made; but to make Allowances, for Services annually performed in Compliance with Laws, without any Account of the Services ever being laid before us, is a Method of dealing out the Peoples Money we can never come into.

There have not been any Accounts laid before us of Expences incurred by any Militia, ordered out by the Governor to the Assistance of our back Inhabitants; when there are, we will take them into Consideration.

And, May it please your Honours, as the Discharge of the Public Debt, now of Nine Years standing, and amounting to about 4,498,092 lbs. in Tobacco, and £1538 Current Money, on the 17th Day of March last, to which Time the Journal of Accounts was closed, must be very burthensome to the People, and, if suffered to be annually increasing, must be still more so; and as depriving the Servants of the Public of the Wages allotted to them, some by express Laws, and others by the plainest Rules of common Right and Justice, obliges many to part with them at a very low Rate, and renders Public Credit Contemptible; and as we hope we have fully satisfied your Honours, that no Demand against the Public, which has either a Lawful or reasonable Foundation, is omitted to be made in the Journal of Accounts; we herewith send it up again to your Honours, not doubting, but, upon more mature Deliberation, on the Contemptible State of our Public Credit, and on the Circumstances both the Public Creditors and the People are brought into, by the Delay of undoubted Right to the one, and keeping a heavy increasing Debt hanging over the other, you will send it down with your Assent. And we propose, for the Ease of the People, that the Public Debt be Levied by Two equal Assessments, in which we hope for your Honours Concurrence.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, with the Journal of Accounts, by M.^r Hawkins and M.^r Edge. L. H. J.
Liber No. 48
May 1

The House adjourns until Monday Morning at 8 of the Clock.

Monday Morning, 3^d May, 1756.

May 3

The House met according to Adjournment: All the Members appeared as on Saturday, except M.^r Thomas Reeder and Capt. Jordan. p. 260

M.^r Bordley appeared in the House.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Lloyd hath Leave to go home.

M.^r Tolley appeared in the House.

On Motion, the Question was put, Whether the late Inhabitants of Nova-Scotia shall be sent to England, or Not Resolved in the Negative.

For the Negative,

Hynson,	Henry,	Bordley,
Williamson,	Edmondson,	Dulany,
Wallis,	Edge,	Lloyd,
Hammond,	Travers,	E. Tilghman,
Carroll,	Paca,	Casson,
Reynolds,	Govane,	B. Handy,
Smallwood,	Ward,	Chapline,
Stoddert,	Fraser,	Beall.
Jenifer,		

[25]

For the Affirmative,

Hall,	Murdock,	Bracco,
Gassaway,	Hawkins,	Crabb.
M. Tilghman,		

[7]

A Motion, for Leave to bring in a Bill To impower the Justices of the several County Courts, to make Provision for the late Inhabitants of Nova-Scotia, brought into this Province, was granted. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Col. Hammond, from the Upper House, delivers to M.^r Speaker the following Message, viz.

L. H. J.
 Liber No. 48
 May 3

Gentlemen,
 By the Upper House of Assembly, May 3, 1756.

We have considered your Message of the 30th of April, wherein you tell us, That you think it necessary to enumerate all the Amendments you have made, in Consequence of your first Bill, that it may appear what Alterations and Concessions you have made, even contrary to your own just Rights. If your Intention herein, was, that those Alterations may appear to us, it was not necessary, unless you could imagine that we had not observed them. If it was to make them appear to others, we can't conceive how that could be fairly done, without giving them an Opportunity of comparing those Alterations with the Bills thereby altered, which remain in your own Hands. But, whatever might be your Intention in that Enumeration of your Amendments, we do not think it necessary, in a Message, to take any further Notice of them, or of the Embellishments bestowed on some of them, for Reasons that you have given us in a former Message this Session: Besides, we are still of Opinion, that whatever Alterations it may seem that you have agreed to, or whatever Concessions it may seem that you have made, yet our Objections in the most essential Points are not obviated, or sufficiently removed, especially that which relates to the Credit of, and sinking the new Emission of the Money in Five Years; and if you really, and indeed have, made any Concessions, contrary to your just Rights, p. 261 we assure you we never desired any such, or expected such a Declaration from you. We only desire, that, consistent with your just Rights and our own, and for the general Good of the People, such a Law may be obtained as may be for the Safety and Defence of us all. For these Reasons we made our Objections to the Bill you sent us, in Hopes they might have been removed.

You are now pleased to say, That you shall very cheerfully agree to a free Conference, not on the Subject-Matter of a Bill sent down with a Negative, but on the Subject-Matter of our Objections to several Bills, in order to bring about the Passage of the Bill last sent up: This seems to us to be an extraordinary Kind of Conference; for really, Gentlemen, we confess, that we do not clearly understand your Distinction: We apprehend that in order to bring about the Passage of the Bill last sent up, the Subject-Matter of that Bill ought to be considered, rather than any Objections, that we may have made to any former Bill or Bills; we are, nevertheless, willing to confer with you on the Subject-Matter of those Objections also. But you go farther, and add, Excepting, however, the Tax on Liquors consumed by Persons not being Retailers, and the Appointment of the Sheriffs to be Collectors of the Excise, as provided by the last Bill, being Points that we are determined not to depart from, and therefore cannot agree to a Conference upon: These preliminary

Points, so positively insisted on to be excepted out of the Matters of the Conference, we readily allow to be the most irregular Expedient that could be proposed, to obtain any good Issue from it.

L. H. J.
Liber No. 48
May 3

You are however careful, That your present Concessions shall not be drawn into Precedent, or any Way construed as derogatory to your ancient and undoubted Rights, &c. and we cannot but observe how willing you seem to be to make a Precedent against us, drawn from our Inspection Law, which, we think, is nothing at all to the present Case: We hope then, you will allow us to be cautious, at least for the future, of making Precedents derogatory to the ancient and undoubted Rights of the Government.

We would willingly avoid giving you any just Occasion of Offence, especially at this Time; but, here we must take the Liberty of asking you a Question or Two; Will you be contented with your undoubted Rights, and that Share in the Legislature, which, by the Constitution of this Government, you are entitled to? Or would you assume to yourselves the sole Power, not only of making Laws, but the Execution of them too? If nothing less than this last will satisfy you, we must tell you, that it is a Point, which we are determined not to agree to give up to you; and you could not reasonably expect, that, to obtain only a free Conference on the Subject in Question between the two Houses, that we should agree to your previously excepting from the Conference any Points of that Subject, in which the undoubted Rights of the Government, or Liberties of a free People, may be involved, and which ought to be carefully discussed, before any Determination concerning them can properly be made: Therefore we earnestly recommend these Matters to your further Consideration, in order, if possible, to bring about that desirable End, which, if obtained, can only make your Constituents any Amends for the tedious Length of this Session, and the heavy Charge and Burthen it must bring upon them. However, upon the whole Matter, and notwithstanding all your Precautions, we having considered the dangerous Situation of Affairs at this Time, and to demonstrate our Readiness to use every Endeavour in our Power, to obtain a good End of our Deliberation, do agree to a free Conference with you, and have accordingly named Philip Thomas, Esq; and Col. Benjamin Tasker, to confer with such Members of your House as you shall appoint; but at the same Time we will be so free as to tell you, that whether you will Confer with us on those Points excepted by you, or not, we will determine thereon, as we shall think proper, according to our undoubted Right.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till the Morrow Morning at 8 of the Clock. p. 262

L. H. J.
Liber No. 48
May 4

Tuesday Morning, 4th May, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Lloyd.

On reading and considering the Message from the Upper House of Yesterday, Ordered, That M.^r Hammond, Col. Edward Tilghman, M.^r Murdock, M.^r Matthew Tilghman, and M.^r Carroll, be Conferees from the House, to join the Conferees in the said Message appointed by the Upper House, to Confer on the Subject-Matter proposed by this House.

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker the following Message, viz.

By the Lower House of Assembly, May 4, 1756.

May it please your Honours,

Had your Honours been desirous of giving us an Opportunity to make any Amends to our Constituents, for the heavy Charge this Session will bring upon them, by the tedious Length, your Conduct as to the Three Bills for his Majesty's Service, and our Security, sent up to you, has had so great a Share in spinning it out to, you would, doubtless, have given us a short and explicit Answer to our last Message. However, still further to demonstrate, that nothing shall divert us from our unwearied Endeavours to promote the Service of our King, and provide for the Security of our distressed Country, we have appointed Philip Hammond, Esq; Col. Edward Tilghman, M.^r Murdock, M.^r Matthew Tilghman, and M.^r Carroll, Members of this House, to Confer immediately with the Gentlemen of your House, named in your Message, on the Terms we proposed in our last, and this we are under a Necessity of repeating, from the Ambiguity of yours.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Which was sent to the Upper House by Philip Hammond, Esq; and M.^r Murdock.

Col. Tasker, from the Upper House, delivers to M.^r Speaker the following Message, viz.

By the Upper House of Assembly, May 4, 1756.

Gentlemen,

In Answer to your Message, just now sent us, we hope we shall give you no Cause to complain of the Length of it, by entering into useless Altercations. We think our last Message was sufficiently clear; but if you had been pleased to point out those Ambiguities, which put you under the Necessity of the Repetition you make, we might, perhaps, have endeavoured to remove them. At present we have nothing more to say, than, that we are ready to Confer with you upon the Terms of that Message, and no other.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.
Liber No. 48
May 4

The House met according to Adjournment, &c.

M.^r John Goldsborough appeared in the House.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker the Journal of Accounts, and the following Message, viz.

By the Upper House of Assembly, May 4, 1756. p. 263

Gentlemen,

In Answer to your Message, with the Journal of Accounts, we are as far from endeavouring to lay the People under any unnecessary Burthen as you can be; we do not deny, but the present Rent of the Governor's House may be something more than what may have been allowed of heretofore, yet, you cannot but know, the Governor could not have been otherwise supplied with a House at the Time he arrived amongst us: The Account sent to your Committee, was stated from a Demand M.^r Brice made of that Sum for Rent. We hope you'll join with us, and think the present House-Rent may be well worth One Hundred Pounds per Annum, and make the Allowance accordingly.

We could not have imagined the Payment of Twenty-three Pistoles to the Governor, for Transcribing the Laws, would have met with the least Hesitation, since they were done by Directions of his Majesty, and for which Service so large a Sum many Years ago was paid to a former Governor, when the Laws were not above Half in Number what they now are; but as you seem inclined to postpone it only for the present, we shall do the same, in full Confidence that you will allow it at a future Session.

As to the Charge of 1350 lbs. of Tobacco to the late Governor, for the Seals to fifteen Proclamations, relating to his Lordship's Assent to the Inspecting Law, we believe it was not intended to give the Law any additional Force, but thought necessary to quiet the Minds of the People, who had been made to believe that the Law was or would be Dissented to; and as this may probably never happen again, we hope you will agree to allow it.

As to the Allowance for the Members of the Council, for their Attendance as a Council of State, though you are pleased to recite to us, An Act directing the Manner of electing Delegates, &c. that Act can only be understood to direct what Allowance shall be made to the Members of the Two Houses, for attending in Assembly Time: We might refer you to other Acts, and your own Journals, for the Counsellors Allowance, which, we think, both reasonable and just; but, as this Session hath been continued much longer than heretofore, we are willing, for the Ease of the good People of this Province, to wave our Allowance at this Time, that the Journal may pass, and to reserve that Allowance to a future Session.

L. H. J.
Liber No. 48
May 4

As this Session is drawing near to a Conclusion, we have not Time to enumerate the many Services done by the Clerk of the Council, some of which cannot be unknown to you: Former Assemblies have judged it to be an useful Office, and always allowed the Clerk an annual Salary in all the Journals heretofore passed the Two Houses, to the Year 1747, and never was denied him until now: Therefore, to speak plainly, which best becomes our Station, we must insist on your making him the usual Allowance, for we are determined never to give it up.

We are much mistaken, if the Militia the Governor ordered out to the Assistance of our back Inhabitants, did not lay the Journal of their Proceedings before your House, in Hopes you would have looked over it, and made them such Allowances for the Time they were absent, in the Service of the Province, as might be reasonable.

We readily agree, that the Public Debt, of Nine Years standing, is indeed very great, and must be still more burthensome to the People, if suffered to be annually increasing; but we think it cannot justly be imputed to us. And we are so far from being satisfied, that no Demand against the Public, which has either a lawful or reasonable Foundation, is omitted to be made in the Journal of Accounts sent up to us, that, on the contrary, we must, in Justice to ourselves, tell you, that we think, had you been willing to allow the Creditors of the Public what was due to them, and the Servants thereof such Wages, as by the plainest Rules of common Right and Justice, you ought to have done, the Public Credit would not have fallen into that Contemptible State, in which you say it is, nor the Journal lain so long without being Passed, which we now send down, in Hopes you will make the Amendments proposed.

Signed per Order, J. Ross, Cl. Up. Ho.

p. 264 Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for issuing Writs of Replevin out of the County Courts of this Province, indorsed, By the Upper House of Assembly, May 4, 1756. Read the second Time, and will not pass.

Signed per Order, J. Ross, Cl. Up. Ho.

The following Message, viz.^t

By the Lower House of Assembly, 4th May, 1756.
May it please your Honours,

In Answer to your Message of this Day, as you say you are ready to Confer with us on the Terms of your Message of Yesterday, and no other, and as we must still confess we do not clearly understand that Message, but are apprehensive you expect we will Confer on the whole Subject-Matter of the last Bill, sent down to us with your Negative, which we cannot by any Means consent to; yet, in

order to demonstrate still further how much we have it at Heart to shew our Loyalty to our most gracious Sovereign, and tender Regard for our distressed Country, we have now instructed our Conferees to Confer with Yours, upon all the Objections made to our several Bills, for his Majesty's Service, and our own Security.

L. H. J.
Liber No. 48
May 4

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by M.^r Matthew Tilghman and M.^r Carroll.

The House adjourns until the Morrow Morning at 8 of the Clock.

Wednesday Morning, 5th May, 1756.

May 5

The House met according to Adjournment, &c.

Capt. Jordan appeared in the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Capt. Smith appeared in the House.

The House adjourns until the Morrow Morning at 8 of the Clock.

Thursday Morning, 6th May, 1756.

May 6

The House met according to Adjournment, &c.

Capt. Baker and M.^r Lloyd appeared in the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r John Reeder appeared in the House.

The House adjourns till the Morrow Morning at 8 of the Clock.

Friday Morning, May 7, 1756.

May 7

The House met according to Adjournment, &c.

Capt. Earle appeared in the House.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker sundry Petitions from languishing Prisoners, in the several Goals of this Province; indorsed By the Upper House of Assembly, Referred to the Consideration of the Lower House of Assembly. p. 265

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker sundry Petitions from languishing Prisoners, in the several

L. H. J. Goals in this Province; indorsed, By the Upper House of Assembly,
Liber No. 48 Referred to the Consideration of the Lower House of Assembly.
May 7

All which Petitions were here read and granted.

M.^r Govane brings in and delivers to M.^r Speaker a Bill entituled, An Act for suppressing certain Warehouses therein mentioned; which was read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by M.^r Govane and M.^r Reynolds.

On Motion, the Question was put, Whether this House will agree to the following Proposals, made by the Conferees of the Upper House, viz. That the Commissioners, to be appointed in Case of a Deficiency, be appointed in like Manner and in the same Proportion as usual, by both Houses, in laying the Public Levy, or Not? Resolved in the Negative.

On Motion, the Question was put, and accordingly Resolved, That the Number of Commissioners, to be appointed, be Five of the Upper House, and Twelve of the Lower House of Assembly.

Major Hall, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act to impower the Justices of the several County Courts, to make Provision for the late Inhabitants of Nova-Scotia, and for regulating their Conduct; which was read the first Time, and ordered to lie on the Table.

The House adjourns until the Morrow Morning at 8 of the Clock.

May 8

Saturday Morning, 8th May, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Edmondson, M.^r Edge, and M.^r Smith.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The House adjourns until Monday Morning at 8 of the Clock.

May 10

Monday Morning, 10th May, 1756.

The House met according to Adjournment: All the Members appeared as on Saturday, except Capt. Jenifer, Capt. Paca, M.^r Reynolds, Capt. Crabb, M.^r Lloyd, Col. Tilghman, M.^r Murdock, and M.^r Beall.

Col. Henry, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, A Supplementary Act to the Act

entituled, An Act for repairing the Public Roads in this Province; which was read the first Time, and ordered to lie on the Table.

L. H. J.
Liber No. 48
May 10

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Gray appeared in the House.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker a Petition of James Tapper, a languishing Prisoner in Anne-Arundel Goal; indorsed By the Upper House of Assembly, Referred to the Consideration of the Lower House of Assembly.

Which Petition was read here, and granted according to Prayer.

Col. Henry, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for the Relief of certain Prisoners, in the several County Goals, therein mentioned; which was read the first Time, and ordered to lie on the Table.

p. 266

The House adjourns until the Morrow Morning at 8 of the Clock.

Tuesday Morning, 11th May, 1756.

May 11

The House met according to Adjournment, &c.

M.^r Crabb and M.^r Beall appeared in the House.

On reading and considering the Message from the Upper House of the 4th Instant, brought down with the Journal of Accounts, the Question was put, Whether this House will agree to make the usual Allowance to the Clerk of the Council, as by the said Message is proposed, or Not Resolved in the Affirmative.

For the Affirmative,

Hynson,	M. Tilghman,	Earle,
Williamson,	Gray,	Baker,
Hall,	Travers,	Ward,
Jordan,	Tolley,	Dulany,
R. Henry,	Govane,	Casson.
J. Goldsborough,		

[16]

For the Negative,

J. Reeder,	Smallwood,	Hawkins,
Wallis,	Stoddert,	Bracco,
Hammond,	Addison,	Handy,
Gassaway,	Fraser,	Chapline.
Carroll,		

[13]

L. H. J.
Liber No. 48
May 11

Ordered, That the Committee of Accounts do insert the Allowance to the Clerk of the Council in the Journal of Accounts, and prepare a Message to be sent to the Upper House therewith.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Col. Tilghman appeared in the House.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

Inclosed you have Major Prather's Journal, and some Returns, which I have received from the Officers of some of the Ranging Parties on the Frontiers. As I have, in Confidence that you will reimburse me, already advanced more Money for the Support of those Parties than the Sums you have granted by Ordinance for that Purpose, and as the Men refuse to serve any longer than they are regularly and punctually paid, I must once more desire you to impower me to satisfy them, and keep them on Foot for the Protection of the Frontier-Inhabitants, till more effectual Measures can be taken for their Defence and Security. Should they be disbanded but a few Days, before other Men can be raised and sent to replace them, you must be sensible the Settlements on Conegochiegh would be broke up, and all the back Inhabitants thrown into the greatest Confusion and Consternation: Therefore I hope you will not hesitate to take this Matter into Consideration, and comply with my Request.

May 11.th 1756

Hor.^o Sharpe.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

p. 267 Upon Governor Dinwiddie's acquainting me, in Answer to the Letter that I wrote to him on the Subject of your Address of the 3d of March, that there were no Arms nor Ammunition lodged in Virginia for the Use of his Majesty's American Colonies, and that he could not, on any Terms, supply us with either, I communicated the Purport of your Address to General Shirley, and desired him, if it was in his Power, to spare us a few Arms for some of the Troops that I expected you would impower me to raise in this Province: I was Yesterday favoured with his Excellency's Answer, which I lay before you, that you may see on what Conditions, Arms and Ammunition will be delivered to any Person who shall be impowered, by this Government, to receive and convey them hither.

May 11.th 1756

Hor.^o Sharpe.

Philip Hammond, Esq; from the Conference of both Houses, brings in and delivers to M.^r Speaker the following Report, viz.

L. H. J.
Liber No. 48
May 11

At a Free Conference of the Members of both Houses of Assembly, the 5th Day of May, 1756, in the Paper-Currency-Office,

Present,

The Honourable { Philip Thomas, Esq; and
Col. Benjamin Tasker, } of the Upper House.

Philip Hammond, Esq:
Col. Edward Tilghman,
M.^r Murdock,
M.^r Matthew Tilghman, and
M.^r Carroll } of the Lower House

Who then chose Philip Thomas, Esq: Chairman, and Stephen Bordley, junior, Clerk.

[This lengthy report is printed in full in the Upper House Journal, pages 275-8.]

The House adjourns until the Morrow Morning at 8 of the Clock. p. 270

Wednesday Morning, 12th May, 1756.

May 12

The House met according to Adjournment, &c.

Capt. Jenifer appeared in the House.

The Bill entituled, A Supplementary Act to the Act entituled, An Act for repairing the Public Roads, &c. and the Bill entituled, An Act for the Relief of certain Prisoners, in the several County Goals, &c. were severally read the second Time, and will pass; and were sent to the Upper House by M.^r Williamson and Major Hynson.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

In your Address, presented the first of March, you desired me to communicate to you such Advices as I might have received from the neighbouring Governments, relative to the Negotiation of a Treaty proposed to be held with the Southern Indians; I have now been informed by Governor Dinwiddie, that the Commissioners, who went some Time since from that Government to the Cherokee Country, to make a League with them, in Behalf of these Colonies, and to secure them to our Interest, have signified to him by Letters, that those Tribes were in good Temper, and fixed to our Interest, but would not send any more of their Warriors to join our Troops till we build them a strong Fort, to protect their Women and Children, while their Young Men go to War against our Enemies: They also told the Commissioners that the French have a Fort about Six Days Journey from the Cherokee Town, and have been tampering with

L. H. J.
Liber No. 48
May 12

them, and made them great Offers, which they should be obliged to accept, unless the English would build such a Fort in their Country as they desired. As soon as the Assembly of Virginia were acquainted with the Cherokees Request, they voted £2000 towards Building and Garrisoning such a Fort. It is also expected that the Carolina Governments will give something: And as the Measures that have been already taken by the Virginia Government, will render the Appointment of Commissioners, to hold a Treaty with the Cherokees in Behalf of this Province, unnecessary, I should be glad you would contribute what was intended to be given in Presents, towards finishing and supporting their Fort.

12.th May 1756

Hor.^o Sharpe.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The following Message, viz.

By the Lower House of Assembly, May 12, 1756.

May it please your Honours,

This House, in Consequence of what was agreed to on the Conference of both Houses, hath appointed Philip Hammond, Charles Carroll, John Gassaway, William Murdock, Matthew Tilghman, and Robert Lloyd, Esquires, to act as Commissioners of this House, in examining and inspecting into the State of the Funds for replacing and sinking the Sum of Forty Thousand Pounds, and to apportion the Land-Tax in Case of a Deficiency, to be raised by Virtue of a Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same: And desire to know who your Honours will nominate to join them, as Commissioners for the Purposes aforesaid, that the Bill, now prepared by this House, for raising the Sum aforesaid, for his Majesty's Service, may be filled up, and sent to your Honours for Concurrence.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by M.^r Matthew Tilghman and M.^r Carroll.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker the following Message, viz.

By the Upper House of Assembly, May 12, 1756.

Gentlemen,

In Answer to your Message of this Day, this House hath named Samuel Chamberlaine, Philip Thomas, Benjamin Tasker, junior,

Richard Lee, Benedict Calvert, and William Goldsborough, Esquires, to join the Commissioners appointed by your House, in examining and inspecting into the State of the Funds for replacing and sinking the Sum of Forty Thousand Pounds, and to apportion the Land-Tax in Case of a Deficiency, to be raised by Virtue of a Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same.

L. H. J.
Liber No. 48
May 12

Signed per Order, J. Ross, Cl. Up. Ho.

The Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c. was indorsed, "Read, and, with the Amendments agreed to by the Conferees of both Houses of Assembly, "will pass;" and was sent to the Upper House, by M.^r Lloyd and Capt. Gassaway.

The House adjourns until the Morrow Morning at 8 of the Clock.

Thursday Morning, 13th May, 1756.

May 13

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Bordley.

The House proceeded to Tax the Bill entituled, An Act to impower and direct the Clerk of Anne-Arundel County Court, to Record, among the said County Records, a Deed of Bargain and Sale, from Thomas Larkin, deceased, to John Jordan, deceased.

To the Honourable Speaker,	£2:0:0
To the Clerk,	1:0:0

And the Bill entituled, An Act to vest certain entailed Lands therein mentioned in the Female Heirs of Leonard Hollyday, Gentleman, in Fee Simple.

To the Honourable Speaker,	£4:0:0
To the Clerk,	2:0:0

On reading the Report from the Committee appointed to inspect the Arms and Ammunition, and Accounts relating thereto, brought into the House on the 17th day of March 1756, the House concurs therewith.

Ordered, That the Committee of Laws do prepare and bring in an Address to his Excellency thereon; and to request his Excellency to remove the present Armourer for his Neglect of Duty.

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed. p. 272

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

L. H. J.
Liber No. 48
May 13

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Message of the eleventh Instant, we assure your Excellency that we shall, on having proper Accounts stated and laid before us, consider of some Method to reimburse your Excellency what Money you may have advanced, to keep on Foot the Ranging Parties on the Frontier of this Province.

We hope, the Bill now in the Upper House, will immediately be passed into a Law; and as that will effectually provide for the Defence of this Province, we think any further Provision entirely unnecessary.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Hawkins and Capt. Gassaway do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor was pleased to signify he would receive the Address in an Hour's Time in the Conference Chamber.

Ordered, That Philip Hammond, Esq; and M.^r John Goldsborough, do present the Address to his Excellency.

Samuel Chamberlain, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for the Relief of certain languishing Prisoners, in the several County Goals, therein mentioned; indorsed, By the Upper House of Assembly, May 13, 1756. Read the second Time, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

On Motion, the Question was put, Whether any further Enquiry shall be made into the State of the Paper Currency Office this Session, or Not Resolved in the Negative.

For the Negative,

J. Reeder,
Hynson,
Wallis,
Hammond,
Gassaway,
Smallwood,
Stoddert,

Jordan,
Jenifer,
Henry,
Gray,
Travers,
Govane,
Baker,

Ward,
Addison,
Fraser,
Hawkins,
Handy,
Chapline,
Beall. [21]

For the Affirmative,

L. H. J.
Liber No. 48
May 13

Williamson,
Carroll,
J. Goldsborough

M. Tilghman,
Earle,
Lloyd,

E. Tilghman,
Bracco,
Crabb. [9]

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

Col. Hammond, from the Upper House, delivers to M.^r Speaker the Bill entituled, A Supplementary Act to the Act entituled, An Act for Repairing the Publick Roads, &c. indorsed, By the Upper House of Assembly, May 13, 1756. Read the second Time, and will pass. p. 273

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Hammond, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address to the Governor; which was read and assented to, and signed, by Order of the House, by the Honourable Speaker, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Message of the twelfth Instant, we beg Leave to observe, that though the Government of Virginia have sent Commissioners to the Cherokee Country, to make a League with them, in Behalf of these Colonies, and to secure them to our Interest, yet, we cannot think it unnecessary to appoint Commissioners for that Purpose, in Behalf of this Province, who, in Conjunction with such as may be appointed by the Governments of Pennsylvania and North-Carolina, or either of them, may hold a Treaty with the Cherokee Indians in Behalf of their several Provinces, and thereby attach them more firmly to the general Interest of these Colonies, and to their own in particular. And in case Commissioners should be appointed by any other Government to act in Conjunction with those appointed in Behalf of this Province, we conceive the Commissioners of this Province will be sufficiently impowered, by the Bill now before the Upper House, if they shall judge it needful, to apply at least £1500. Part of the Money thereby appropriated for engaging the Assistance and cultivating the Friendship of the Southern Tribes

L. H. J.
Liber No. 48
May 13

of Indians, towards Building and Garrisoning a Fort in the Cherokee Country; and therefore we cannot think it necessary to apply the Thousand Pounds, intended by that Bill to be given in Presents to those Tribes of Indians, towards finishing and supporting the Fort, for which, your Excellency tells us, the Virginians have voted the Sum of Two Thousand Pounds.

The House adjourns till the Morrow Morning at 8 of the Clock.

May 14

Friday Morning, 14th May, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except Capt. Tolley.

Ordered, That Capt. Crabb and Capt. Gassaway do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker that the Governor was pleased to signify he would receive the Address in an Hour's Time in the Conference Chamber.

Ordered, That Col. Henry and M.^r Hawkins do present the Address.

Philip Hammond Esq; from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for Regulating the Militia of the Province of Maryland, which was read the first Time, and ordered to lie on the Table.

p. 274 Col. Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

Col. Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.
May it please your Excellency,

It appearing to this House, by Report of their Committee for inspecting the Condition of the Arms and Ammunition of this Province, (an Extract from which is hereto annexed) that Henry Walls, the Armourer, has been very Remiss in the Duty of his Trust, which, in this Time of uncommon Danger, we conceive, ought to be most strictly complied with.

It becomes our indispensable Duty to those we Represent, humbly to request your Excellency would be pleased to remove the said Henry from his said Place of Armourer, and put that Trust, at this Time of no small Importance, in the Hands of such other Person, as to your Excellency's Wisdom shall seem meet.

Extract from the Report, dated March 15, 1756, as follows, viz. L. H. J.
 "Your Committee beg Leave to inform you, that the Firelocks and Liber No. 48
 Pistoles, in general, are unfit for Service, owing entirely to the May 14
 Neglect and Incapacity of the Armourer."

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Williamson and M.^r Beall do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That M.^r Smallwood and M.^r John Goldsborough do present the Address.

Col. Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for preventing Indians, disaffected to the British Interest in America, from coming into this Province as Spies, or on any other evil Design; which was read the first Time, and ordered to lie on the Table.

M.^r Carroll, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for the Naturalization of Foreign Protestants; which was read the first Time, and ordered to lie on the Table.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker the following Message, viz.

By the Upper House of Assembly, May 14, 1756.

Gentlemen,

[This lengthy Message is printed in full in the Upper House Journal, pages 280-3.]

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker a Petition of John Farrow; indorsed, "By the Upper House of Assembly, May 13, 1756. Referred to the Consideration of the Lower "House of Assembly;" which Petition was read here, and ordered to lie on the Table. p. 276

On Motion, the Question was put, Whether a general Answer shall be prepared by the Committee of Laws to the Message of the Upper House, brought down this Afternoon by Samuel Chamberlaine, Esquire, or Not Resolved in the Affirmative.

L. H. J.
Liber No. 48
May 14

For the Affirmative,

J. Reeder,	Jenifer,	Addison,
Hynson,	R. Henry,	Fraser,
Williamson,	J. Goldsborough,	Hawkins,
Wallis,	M. Tilghman,	Dulany,
Hammond,	Gray,	E. Tilghman,
Gassaway,	Travers,	Casson,
Smallwood,	Earle,	Bracco,
Stoddert,	Baker,	Handy,
Jordan,	Ward,	Chapline. [27]

For the Negative,

Govane,	Crabb,	Beall.
Lloyd,		[4]

p. 277 On Motion, the Question was put, Whether, in preparing the Answer to the Message from the Upper House this Afternoon, by Samuel Chamberlaine, Esq; the Committee of Laws be directed to mention therein the Irregularity of the said Message, or Not Resolved in the Negative.

For the Negative,

J. Reeder,	R. Henry,	Hawkins,
Hynson,	J. Goldsborough,	Dulany,
Williamson,	Gray,	Casson,
Smallwood,	Travers,	Bracco,
Stoddert,	Baker,	Handy,
Jordan,	Ward,	Chapline.
Jenifer,	Addison,	[20]

For the Affirmative,

Wallis,	M. Tilghman,	Lloyd,
Hammond,	Govane,	E. Tilghman,
Gassaway,	Earle,	Crabb,
Carroll,	Fraser,	Beall. [12]

The following Message, viz.

By the Lower House of Assembly, May 14, 1756.

May it please your Honours,

In Answer to your Message of this Afternoon, by Samuel Chamberlaine, Esq; respecting the Bill for his Majesty's Service, now with your Honours, we can only say, that as that Bill is framed agreeable to the free Conference of both Houses, we cannot agree to any Alterations in it: Therefore request it may pass in its present

Form, as your Honours are pleased to tell us it shall, if we don't approve what you have proposed.

L. H. J.
Liber No. 48
May 14

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by M.^r Earle and M.^r Bracco.

Col. Hammond, from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c. indorsed,. By the Upper House of Assembly, May 14, 1756. Read, and, with the Amendments agreed to by the Conferees of both Houses of Assembly, will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

An ingrossed Bill entituled, An Act for the Relief of certain languishing Prisoners, in the several County Goals, &c. and an ingrossed Bill entituled, A Supplementary Act to the Act entituled, An Act for repairing the Public Roads, &c. were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by Major Travers and M.^r Reeder.

The House adjourns until the Morrow Morning at 8 of the Clock.

Saturday Morning, 15th May, 1756.

May 15

The House met according to Adjournment, &c.

M.^r John Handy and Col. John Henry appeared in the House.

Major Travers and M.^r Wallis have Leave to go home.

Col. Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, A further Supplementary Act to an Act entituled, An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers; which was read the first Time, and ordered to lie on the Table.

The Bill entituled, An Act for preventing Indians, disaffected to the British Interest in America, from coming into this Province as Spies, or any other evil design, was read the second Time, and will pass; and was sent to the Upper House by M.^r Stoddert and Capt. Baker.

p. 278

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker an ingrossed Bill entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c.

L. H. J. which was read and assented to, and sent to the Upper House, with
 Liber No. 48 the Paper Bill thereof, by M.^r Lloyd and M.^r John Reeder.
 May 15

The following Message, viz.

By the Lower House of Assembly, May 15, 1756.

May it please your Honours,

We herewith send you the Journal of Accounts, in which is inserted an Allowance to M.^r Ross, Clerk of the Council, for Public Services by him done; and have^r Resolved, that, for the future, no such Allowance shall be made: But, upon having a particular Account laid before us by M.^r Ross, for Public Services by him done for this Province, we shall allow what appears to us reasonable.

We have also made an Allowance to the Militia, ordered out to the Assistance of the Frontier Inhabitants, agreeable to the Journals of the several Captains, laid before us by his Excellency the Governor.

We cannot agree to your Honours Proposals for advancing the Rent of the Governor's House, nor to the Payment of 1350 lbs. of Tobacco to the late Governor, for Seals to 15 Proclamations, relating to his Lordship's Assent to the Inspection-Law, for Reasons given in a Message from this House, sent up the first Instant: And hope for your Honours Concurrence to the Journal of Accounts as it now stands.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, with the Journal of Accounts, by M.^r John Goldsborough and Two more.

The House adjourns until Monday Morning at 8 of the Clock.

May 17

Monday Morning, 17th May, 1756.

The House met according to Adjournment: All the Members appeared as on Saturday, except M.^r Wallis and Major Hall.

M.^r Reynolds appeared in the House.

The Bill entitled, A further Supplementary Act to an Act entitled, An Act for quieting Possessions, enrolling Conveyances, &c. was read the second Time, and will pass; and was sent to the Upper House by M.^r John Handy and M.^r Gray.

The Bill entitled, An Act for the Naturalization of Foreign Protestants, was referred for a second Reading on the 20th Day of July next.

Col. Hammond, from the Upper House, delivers to M.^r Speaker the Journal of Accounts; indorsed, May 17, 1756. Read and Assented to by the Upper House of Assembly.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.
Liber No. 48
May 17
p. 279

The House met according to Adjournment, &c.

M.^r Bordley appeared in the House.

On Motion, the Question was put, Whether the Mode of Payment, by the respective Counties to M.^r Jonas Green for Printing the Laws, &c. shall be altered, or Not Resolved in the Affirmative.

For the Affirmative,

J. Reeder,	J. Goldsborough,	E. Tilghman,	
Hynson,	M. Tilghman,	Casson,	
Williamson,	Earle,	Bracco,	
Reynolds,	Baker,	J. Henry,	
Jenifer,	Ward,	B. Handy.	
R. Henry,	Addison,		19
J. Handy,	Lloyd,		

For the Negative,

Hammond,	Jordan,	Hawkins,	
Gassaway,	Gray,	Dulany,	
Carroll,	Travers,	Crabb,	
Smallwood,	Govane,	Chapline,	
Stoddert,	Fraser,	Beall.	15

The Question was put, Whether the Printer's Allowance be apportioned according to the Number of Taxables in each County or Not Resolved in the Affirmative.

For the Affirmative,

Reeder,	J. Handy,	Addison,	
Hynson,	J. Goldsborough,	Lloyd,	
Williamson,	Stoddert,	E. Tilghman,	
Reynolds,	M. Tilghman,	Casson,	
Jordan,	Earle,	Bracco,	
Jenifer,	Baker,	J. Henry,	
R. Henry,	Ward,	B. Handy.	21

For the Negative,

Hammond,	Travers,	Crabb,	
Cassaway,	Govane,	Chapline,	
Carroll,	Fraser,	Beall.	
Smallwood,	Hawkins,		13
Gray,	Dulany,		

L. H. J.
Liber No. 48
May 17

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for preventing Indians, disaffected to the British Interest in America, from coming into this Province as Spies, or any other evil design, indorsed, By the Upper House of Assembly, May 17, 1756. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker the Paper Bill entituled, An Act for granting a Supply of £40000 for his Majesty's Service, &c. indorsed, By the Upper House of Assembly, May 17th, 1756. The ingrossed Bill, whereof this is the Original, is Read and Assented to.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns until the Morrow Morning at 8 of the Clock.

May 18

Tuesday Morning, 18th May, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except Major Travers, Col. Robert Jenckins Henry, and M.^r Bordley.

An ingrossed Bill entituled, An Act for preventing Indians, disaffected to the British Interest in America, from coming into this Province as Spies, or any other Evil design, was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by Col. John Henry and M.^r Bracco.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

p. 280

The Bill entituled, An Act for preventing the Importation of German and French Papists, &c. by Way of Pennsylvania, &c. was read the second Time and will pass, and was sent to the Upper House, by Col. Addison and Capt. Govane.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer; which was read the first and second Time, by an especial Order, and will pass; and was sent to the Upper House, by Capt. Jenifer and Col. Tilghman.

M.^r Matthew Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for preventing all Retailers of Liquors from selling in small Quantities; which was read the first Time, and ordered to lie on the Table.

On Motion, the Question was put, Whether the Justices of the respective Counties, shall be impowered to levy Tobacco for the Support of such French Neutrals in this Province as now are, or may be, real Objects of Charity or Not Resolved in the Affirmative.

L. H. J.
Liber No. 48
May 18

For the Affirmative,

Hynson,	M. Tilghman,	Casson,
Williamson,	Earle,	J. Henry,
Jordan,	Baker,	B. Handy,
Jenifer,	Dulany,	Crabb,
J. Handy,	Lloyd,	Chapline.
J. Goldsborough,	E. Tilghman,	

17

For the Negative,

J. Reeder,	Smallwood,	Fraser,
Hammond,	Stoddert,	Hawkins,
Gassaway,	Gray,	Bracco,
Reynolds,	Govane,	Beall.
Carroll,	Addison,	

14

The Bill entituled, An Act to prevent the Growth of Popery within this Province, was indorsed, "Read the second Time, and, with the Amendments herewith sent, will pass."

Signed per Order, M. Macnemara, Cl. Lo. Ho.

And was sent to the Upper House with the Amendment proposed, viz.

By the Lower House of Assembly, May 18, 1756.

Amendments proposed to the Bill entituled, An Act to prevent the Growth of Popery within this Province.

The whole Preamble to be struck out, and the following inserted, viz.

[Whereas, at this Time of uncommon and imminent Danger, from our powerful persidious Enemies, and the cruel Blood-thirsty barbarous Savages, their Allies, it is highly expedient to guard against every intestine Foe: And whereas divers Jesuits, Priests, and Popish Missionaries, have for some Time had their Residence in this Province, and have acquired, and do now possess therein, large Tracts of Land and much Property; and there is too much Reason to fear, especially at this Juncture, that they will seduce and withdraw from their Allegiance many of his Majesty's faithful Protestant Subjects, and by their wicked and subtle Insinuations, excite and stir up disaffected Persons to Sedition and open Rebellion, against his Majesty's Government: And whereas it is thought necessary, not only for the Peace and Security of this Province in particular, but the Safety of

p. 281

L. H. J. his Majesty's Colonies in North-America in general, that the Growth
 Liber No. 48 of Popery should be restrained by all reasonable and just Means.]
 May 18

In the 14th Line of the first Page, between the Words instructed and persuaded, insert [in any Kind of Learning, or.]

In the 17th Line of the same Page, between the Words Office and in, insert [or Place of Trust.]

In the 20th Line of the same Page the Word and, between the Words instructed and educated, be struck out, and the Words [in any Kind of Learning, or] inserted.

In the last Line of the same Page, between the Words any and devise, insert the Word [descent.]

In the 3d Page, and 4th Line from the Bottom, between the Words Tutor and who, insert [not being a Popish Priest or Jesuit.]

In the 4th Page and 13th Line, between the Words Practice and engage, insert [to absolve.]

In the 12th Line of the 7th Page, between the Words having and any, insert the Words [or holding.]

Between the Words Hereditaments and lying, in the 12th and 13th Lines of the 7th Page, insert the Words [or any Negroes or other Slaves.]

Between the Words Province and shall, in the 13th Line of the same Page, insert as follows, [either for his own Use, Advantage, or Emolument, or having or holding the same in Trust for the Use of, and to the Intent or Purpose that the same, or the Profits or Proceed thereof, shall or may be applied or applicable to or for, or towards, any Seminary or School for the Education of Youth in the Romish Religion in this Province, or elsewhere, or to or for any Popish or Superstitious Use or Uses whatsoever.]

In the 17th Line of the same Page, between the Words Hereditaments and whereof, insert [and Negroes or other Slaves.]

In the 18th Line of the same Page, between the Words Advantage and shall, insert [or in Trust for the Uses aforesaid.]

In the same Line of the same Page, between the Words in and Possession, insert the Words [seisin or.]

In the 9th Line of the 8th Page, between the Words Estates and to, insert [or Estates by them held in Trust for the Uses aforesaid.]

In the 16th Line of the same Page, between the Words Hereditaments and of, insert [and Negroes or other Slaves.]

In the 24th Line of the same Page, at the End thereof, after the Word Hereditaments, insert the Words [or Negroes or other Slaves.]

In the 25th Line of the same Page, between the Words Province and shall, insert as follows, [either for his own Use, Advantage, or

Emolument, or having or holding the same in Trust for the Use of, and to the Intent or Purpose that the same, or the Profits or Proceed thereof, shall or may be applied or applicable to or for, or towards, any Seminary or School, for the Education of Youth in the Romish Religion, in this Province, or elsewhere, or to or for any Popish or Superstitious Use or Uses whatsoever.]

L. H. J.
Liber No. 48
May 18

In the same Line and Page, between the Words within and Year, strike out the Word Three, and insert the Word [One.]

In the 27th Line of the same Page, between the Words convey and all, insert the Words [to any Person being a Protestant.]

In the 29th Line of the same Page, between the Words Hereditaments and which, insert [and Negroes and other Slaves.]

In the 30th Line of the same Page, from the Word thereof to the Word all, in the last Line, leave out the Words [shall forfeit and lose.]

p. 282

In the 1st Line of the 9th Page, between the Words Hereditaments and not, insert [Negroes or other Slaves.]

Between the Words of and and, in the 3d Line of the same Page, insert as follows [shall be forfeited. And be it further Enacted, That such Sale, and the Deed of Bargain and Sale expressing the Consideration bona fide paid, duly acknowledged by the said Priest or Priests, Jesuit or Jesuits, and recorded in the Provincial or County Court Office, where the Lands lie, in Six Months after such Acknowledgment, and the Payment of the Consideration-Money, and this Act shall vest in such Purchaser, being a Protestant, a good, sure, and indefeasible Estate of Inheritance, in Fee-Simple, to such Lands, Tenements, and Hereditaments, so by them registered, and by this Act directed and ordered to be Sold as aforesaid: And that every Bill of Sale, duly recorded, shall vest in such Purchaser, being a Protestant, a sure and certain Estate in and to every Negro and other Slave registered, and by this Act directed and ordered to be Sold as aforesaid.]

In the 16th Line of the same Page, strike out the Words of the, at the End, and insert in their Stead the Word [such.]

In the 17th Line of the same Page, between the Words Hereditaments and held, insert the Words [Negroes or other Slaves.]

In the 20th Line of the same Page, between the Words Hereditaments and remain, insert [Negroes or other Slaves.]

In the 22d Line of the same Page, between the Words Hereditaments and directed, insert [Negroes or other Slaves.]

In the 23d Line of the same Page, between the Words Hereditaments and that, insert [Negroes or other Slaves.]

Leave out, from the Word Currency, in the 7th Line of the 10th Page, to the Word and in the 6th Line of the 11th Page, and insert

L. H. J. [And be it further Enacted, by the Authority aforesaid, That all and
 Liber No. 48 every Jesuit, Seminary Missionary, or other Spiritual or Ecclesiasti-
 May 18 cal Person, made or ordained by any Authority, Power, or Juris-
 diction, derived, challenged, or pretended, from the Pope or See
 of Rome, or that shall profess himself, or otherwise appear to be
 such, by preaching and teaching of others to say any Popish Prayers,
 by celebrating Mass, granting of Absolution, or using any other of
 the Popish Ceremonies and Rites of Worship, who shall appear or
 come into this Province, after the first Day of August in this present
 Year, shall be deemed and accounted an Incendiary and Disturber
 of the public Peace and Safety, and shall forfeit and pay the Sum of
 Five Hundred Pounds Current Money; or in Default thereof, shall
 be adjudged to suffer perpetual Imprisonment.]

Leave out, from the Word Removal, in the 12th Line of the 13th
 Page, to the Word this, in the 5th Line of the 14th Page, and insert
 the following Clause, [And be it further Enacted, That all the several
 Fines and Forfeitures imposed by this Act, shall be divided into two
 equal Parts, whereof one Half shall be paid to the Treasurer of each
 respective Shore, for the Use and Support of the Free-Schools in
 this Province; the other Half to the Informer, or him, her, or them,
 that will sue for the same, in any Court of Record, having Jurisdic-
 tion thereof, by Action of Debt, Bill, Complaint, or Information, wherein
 no Essoin, Protection, or Wager of Law, to be allowed.]

Signed per Order, M. Macnemara, Cl. Lo. Ho.

p. 283 By M.^r John Goldsborough and M.^r Hawkins.

The House adjourns until the Morrow Morning at 8 of the
 Clock.

May 19 Wednesday Morning, 19th May, 1756.

The House met according to Adjournment: All the Members
 appeared as Yesterday, except M.^r Ward.

Col. Robert Jenckins Henry appeared in the House.

On Reading a second Time the Bill entituled, An Act for Regu-
 lating the Militia of this Province, the Question was put, Whether
 any Independent Companies shall be mentioned in the said Bill, or
 Not Resolved in the Negative.

For the Negative,

J. Reeder,
 Hynson,
 Hammond,
 Gassaway,
 Reynolds,
 Smallwood,
 Stoddert,

Jenifer,
 J. Handy,
 J. Goldsborough,
 M. Tilghman,
 Gray,
 Addison,
 Fraser,

Hawkins,
 Lloyd,
 E. Tilghman,
 Bracco,
 J. Henry,
 Crabb,
 Beall.

For the Affirmative,

Williamson,
Carroll,
Jordan,
R. Henry,

Govane,
Earle,
Baker,
Bordley

Dulany,
Casson,
B. Handy,
Chapline.

12

L. H. J.
Liber No. 48
May 19

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The House adjourns till the Morrow Morning at 8 of the Clock.

Thursday Morning, 20th May, 1756.

May 20

The House met according to Adjournment, &c.

M.^r Charles Goldsborough appeared in the House.

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for the speedy and effectual Publication of the Laws of this Province, &c. indorsed, By the Upper House of Assembly, May 20, 1756. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was read here, and passed for ingrossing.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, A further Supplementary Act to an Act entituled, An Act for quieting Possessions, enrolling Conveyances, &c. indorsed, By the Upper House of Assembly, May 20, 1756. Read the second Time, and will pass, with the following Amendment: Leave out the first 16 Lines in the Bill, and to the Word aforesaid in the 17th Line, and insert the following, [Whereas no other than Deeds of Bargain and Sale are comprised within the Act of Assembly, For quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers: Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same.]

Signed per Order, J. Ross, Cl. Up. Ho.

Which Amendment was here Read, and with which this House doth not concur. p. 284

M.^r Matthew Tilghman, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act to empower the Justices of the several County Courts, to make Provision for the late Inhabitants of Nova-Scotia, and for Regulating their Conduct; which was read the first Time, and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

L. H. J.
Liber No. 48
May 20

Post-Meridiem.

The House met according to Adjournment, &.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker a Bill entituled, An Act for the Assessment and Payment of the Public Charge of this Province; which was read the first Time, and ordered to lie on the Table.

On Reading the second Time the Bill entituled, An Act for Regulating the Militia of this Province, the Question was put, Whether the following Clause, viz. Provided always, and be it further Enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to take away or prejudice any Right or Claim, which the People of this Province have, or ought to have, to any Monies heretofore or now levied by the Right Honourable the Lord Proprietary of this Province, under Colour, as they apprehend, of an Act of Assembly, made in the Year Seventeen Hundred and Four, entituled, An Act for the Settlement of an annual Revenue upon her Majesty's Governor within this Province; shall be struck out of the said Bill or Not? Resolved in the Negative.

For the Negative,

J. Reeder,	Jenifer,	Hawkins,	
Hammond,	J. Handy,	Lloyd,	
Gassaway,	J. Goldsborough,	E. Tilgman,	
Carroll,	M. Tilghman,	J. Henry,	
Reynolds,	Gray,	B. Handy,	
Smallwood,	Govane,	Crabb,	
Stoddert,	Addison,	Chapline,	
Jordan,	Fraser,	Beall.	24

For the Affirmative,

Hynson,	Earle,	Casson,	
Williamson,	Baker,	Bracco.	
R. Henry,	Bordley,		10
C. Goldsborough,	Dulany,		

On Reading the second Time the Bill entituled, An Act for Regulating the Militia of this Province, the Question was put, Whether the said Bill do Pass or Not. Resolved in the Negative.

For the Negative,

J. Reeder,	Jordan,	Fraser,	
Hammond,	Jenifer,	Hawkins,	
Gassaway,	R. Henry,	Bordley,	
Carroll,	J. Goldsborough,	Crabb,	
Reynolds,	Gray,	Beall.	
Smallwood,	C. Goldsborough,		19
Stoddert,	Addison,		

For the Affirmative,

L. H. J.
Liber No. 48
May 20

Hynson,	Earle,	Casson,	
Williamson,	Baker,	Bracco,	
J. Handy,	Dulany,	J. Henry,	
M. Tilghman,	Lloyd,	B. Handy,	
Govane,	E. Tilghman,	Chapline.	15

On Reading the second Time the Bill entituled, An Act for preventing all Retailers of Liquors from selling in small Quantities, p. 285 the Question was put, Whether the said Bill shall Pass, or Not. Resolved in the Affirmative.

For the Affirmative,

Reeder,	Jordan,	Dulany,	
Hynson,	Jenifer,	Lloyd,	
Williamson,	J. Goldsborough,	E. Tilghman,	
Gassaway,	M. Tilghman,	Casson,	
Smallwood,	Earle,	Bracco.	
Stoddert,	Baker,		17

For the Negative,

Hammond,	Addison,	B. Handy,	
Carroll,	Fraser,	Crabb,	
J. Handy,	Hawkins,	Chapline,	
Gray,	Bordley,	Beall,	
Govane,	J. Henry,	Reynolds.	15

Which Bill was indorsed, Read the second Time, and will pass.

The Bill entituled, An Act to impower the Justices of the several County Courts, to make Provision for the late Inhabitants of Nova-Scotia, &c. was read the second Time by an especial Order, and will pass.

Which two Bills were sent to the Upper House by M.^r Earle and M.^r Bracco.

The following Message, viz.

By the Lower House of Assembly, 20th May, 1756.

May it please your Honours,

This House hath appointed Philip Hammond, Esq; Capt. John Gassaway, M.^r Walter Dulany, M.^r John Goldsborough, M.^r Matthew Tilghman, and M.^r Robert Lloyd, as a Committee of this House, to meet and apportion the Public Levies, and desire to know what Members your Honours will please to nominate, to join them in the said Committee, that the Bill, now preparing for that Purpose, may be filled up.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

L. H. J. Was sent to the Upper House by M.^r John Goldsborough and
 Liber No. 48 Capt. Gassaway.
 May 20

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the following Message, viz.^t

By the Upper House of Assembly, May 20, 1756.

Gentlemen,

This House hath appointed Col. Charles Hammond, Samuel Chamberlaine, and Philip Thomas, Esquires, Col. Benjamin Tasker, Richard Lee, and Benedict Calvert, Esquires, to join the Members named by your House, as a Committee, to meet and apportion the Public Levies.

Signed per Order, J. Ross, Cl. Up. Ho.

The Bill entituled, An Act for the Assessment and Payment of the Public Charge of this Province, was read the second Time by especial Order, and will pass; and was sent to the Upper House by M.^r Lloyd and M.^r Dulany.

The House adjourns until the Morrow Morning at 8 of the Clock.

May 21

Friday Morning, 21st May, 1756.

The House met according to Adjournment, &c.

p. 286 On Motion, Ordered, That M.^r Speaker do issue his Warrant to the Deputy-Secretary of this Province, to make out a Writ of Election, directed to the Sheriff of Anne-Arundel County, to elect a Delegate to serve in the General Assembly of this Province, now sitting, in the Room of Major Henry Hall, deceased.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker an ingrossed Bill entituled, An Act for the speedy and effectual Publication of the Laws of this Province, &c. which was read and assented to, and sent to the Upper House, with the Paper Bill, by M.^r Govane and M.^r Williamson.

The following Message, viz.

By the Lower House of Assembly, 21st May, 1756.

May it please your Honours,

As it appears to this House, that there is a Want of Books, Paper, Parchment, and Ink-Powder, for the necessary Use of the Public: Therefore, in order that such Necessaries may be provided in the easiest and best Manner, we propose, That the Treasurer of the Western Shore be order to send for them, to the Amount of Thirty pounds Sterling, and that they be paid for by M.^r William Hunt, Merchant, in London, out of the Money, in his Hands, due to this Province; with which we desire your Honours Concurrence.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by M.^r Carroll and Capt. Jordan.

L. H. J.
Liber No. 48
May 21

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On Motion, Ordered, That the Bill entituled, An Act for Regulating the Militia of this Province, be entered in the Journal of the Votes and Proceedings of this House; and that the said Bill be Printed in Thirty Days from the End of this Session; and that Printed Copies be delivered to each Member of the Lower House of Assembly, in the same Manner that the Laws, Votes and Proceedings, are directed to be.

The following Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

On considering your Message of the 11th of May, this House have Resolved that this Province will stand Security, for returning to the Officer his Majesty has been pleased to appoint to receive the same, any Number of Arms which may be delivered by the Comptroller of the Ordnance at Boston, to any Person your Excellency shall be pleased to appoint for that Purpose, except in Case of their being lost in Battle, or taken or destroyed by the Enemy; and that the Person appointed by your Excellency, be empowered to receive and indent for such Arms, in the Manner mentioned by Governor Shirley's Letter to your Excellency.

Was read and assented to, and signed, by Order of the House, by the Hon.^{ble} Speaker.

Ordered, That M.^r Matthew Tilghman and Col. John Henry do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor was pleased to signify he would receive the Address in an Hour's Time in the Conference Chamber. p. 287

Ordered, That M.^r Govane and M.^r Gray do present the Address to his Excellency.

Col. Tasker, from the Upper House, delivers to M.^r Speaker the following Message, viz.

L. H. J.
Liber No. 48
May 21

By the Upper House of Assembly, May 21, 1756.

Gentlemen,

This House agrees, that the Treasurer of the Western Shore send to England, for the Use of the Public, for Books, Paper, Parchment, and Ink-Powder, to the Amount of Thirty Pounds Sterling; and that M.^r Hunt be directed to pay for the same out of the Public Money lodged in his Hands for the Use of the Public.

Signed p Order, J. Ross, Cl. Up. Ho.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for suppressing certain Warehouses therein mentioned; and the Bill entituled, An Act for preventing the Importation of German and French Papists, &c. severally indorsed, By the Upper House of Assembly, May 21, 1756. Read the second Time, and will not pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act to empower the Justices of the several County Courts, to make Provision for the late Inhabitants of Nova-Scotia, &c. and the Bill entituled, An Act for the Assessment and Payment of the Public Charge of this Province; severally indorsed, By the Upper House of Assembly, May 21, 1756. Read the second Time, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bills were severally read here, and passed for ingrossing.

Samuel Chamberlaine, Esq; from the Upper House, delivers to M.^r Speaker the Bill entituled, An Act for preventing all Retailers of Liquors from selling in small Quantities; indorsed, By the Upper House of Assembly, May 21, 1756. Read the second Time, and will pass, the Appropriation of the Fines in the several Places of the Bill being left out.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bill was here read, with the Amendment proposed, and with which Amendment this House doth not concur.

A Motion, that Leave be given to bring in a Bill, To make Provision for the Children of M.^r Thomas Cresap, junior, who was slain in a late Battle with a Party of Indian Enemies, was granted. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until the Morrow Morning at 8 of the Clock.

May 22

Saturday Morning, 22^d May, 1756.

The House met according to Adjournment, &c.

M.^r Lloyd, from the Committee of Laws, brings in and delivers to M.^r Speaker an ingrossed Bill entituled, An Act to empower the

Justices of the several County Courts, to make Provision for the late Inhabitants of Nova-Scotia, and for regulating their conduct. And an ingrossed Bill entitled, An Act for the Assessment and Payment of the Public Charges of this Province; which were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by M.^r John Handy and M.^r John Reeder.

L. H. J.
Liber No. 48
May 22
p. 288

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

When I laid before you a Copy of the Ordinance, made and agreed to by the Governor, Council, and Representatives, of the Province of the Massachusetts-Bay, together with his Excellency General Shirley's Letter, desiring that a Person might be impowered also, by this Government, to indent for and receive the Arms and Ammunition that his Majesty has been most graciously pleased to order for our Use, I was in Hopes that you would have framed a short Bill for that Purpose; and, lest the Officer that his Majesty has appointed to distribute the Arms, should, upon Enquiry, find, that a Resolve of your House is not equivalent to an Act of the Legislature, and thereupon refuse to deliver them, I must recommend it to you to prepare such a Bill, and thereby authorize the Treasurers to defray the Expence of conveying the Ammunition and Arms hither.

the 22^d May 1756

Hor.^o Sharpe.

The following Message, viz.

By the Lower House of Assembly, 22^d May, 1756.

May it please your Honours,

We desire your Honours Concurrence to the Ordinance herewith sent, empowering his Excellency to appoint a Person to receive and indent for the Proportion of Arms and Ammunition his Majesty has been pleased to order for our Use; and for empowering the Treasurers to defray the Expence of bringing the same into this Province.

Signed p Order, M. Macnemara, Cl. Lo. Ho.

And the following Ordinance, viz.^t

Whereas his Majesty has been graciously pleased to order Ten Thousand Stands of Arms, and a proportionable Quantity of Ammunition, to be employed for the Service of his Colonies, as from Time to Time there shall be Occasion; and it is required that each Colony, to which any of those Arms shall be delivered, give Security to return them to the Officer his Majesty has been pleased to appoint, except in Case of their being lost in Battle, or taken or destroyed by the Enemy: And it being necessary that some Person should be appointed to receive the Proportion of said Arms and Ammunition, which may be allotted for this Government, It is Ordained by his Excellency the Governor, and the Upper and Lower Houses of

L. H. J. Assembly, That any Person his Excellency shall name and appoint,
 Liber No. 48 be, and is hereby impowered to receive the said Arms and Ammuni-
 May 22 tion, and that this Government will stand and be security, for return-
 ing to the Officer his Majesty has been pleased to appoint as afore-
 said, any Number of said Arms, which may be delivered to the said
 Person, so appointed to receive the same, except in Case of their
 being lost in Battle, or taken or destroyed by the Enemy; and that
 p. 289 the said Person be impowered to indent according. And it is further
 Ordained, That the Treasurers of this Province shall, by Order under
 the Hand of his Excellency, defray the Expence of conveying and
 bringing the said Arms and Ammunition into the same, and that
 the said Expence be allowed them in their respective Accounts.

Read and Assented to by the Lower House of Assembly,

Signed p Order, Henry Hooper, Speaker.

Were sent to the Upper House by M.^r John Goldsborough and
 M.^r Carroll.

On Motion, Ordered, That the Affair of M.^r John Rawlings,
 of Frederick County, which was referred last Session to be consid-
 ered this Session, be referred for Consideration to the next Session
 of Assembly.

M.^r Carroll, from the Committee of Laws, brings in and delivers
 to M.^r Speaker an Address to his Excellency; which was read,
 approved, and ordered to be ingrossed.

M.^r Carroll, from the Committee of Laws, brings in and delivers to
 M.^r Speaker the following ingrossed Address, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander
 in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

This House has agreed to an Ordinance, to be made in Concurrence
 with your Excellency and the Upper House, that any Person you
 shall please to appoint, shall be impowered to indent for and receive
 the Arms and Ammunition that his Majesty has been pleased to order
 for our Use; and that this Province will stand and be Security to
 return to the Officer, any Number of Arms which may be delivered
 for the Use of this Province, except such of them as may be taken
 in Battle, or destroyed by the Enemy: and that the Treasurers of
 this Province shall pay the Expence of bringing hither the said
 Arms and Ammunition, for which they shall be allowed in their
 Accounts.

Which was read and assented to, and signed, by Order of the
 House, by the Honourable Speaker.

Ordered, That Capt. Jenifer and M.^r Matthew Tilghman do ac-
 quaint his Excellency, That this House hath prepared an Address, to

L. H. J.
Liber No. 48
May 22

be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker that the Governor was pleased to signify he would receive the Address in an Hour's Time in the Conference Chamber.

Ordered, That Philip Hammond, Esq; and M.^r John Goldsborough, do present the Address to his Excellency. Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the following Message, viz.

By the Upper House of Assembly, May 22, 1756.

Gentlemen,

This House agrees to the Ordinance, empowering the Governor to appoint a Person to receive and indent for the Proportion of Arms and Ammunition his Majesty has been pleased to order for our Use, and for empowering the Treasurers to defray the Expence of bringing the same into this Province, and has signed the same accordingly.

Signed p Order, J. Ross, Cl. Up. Ho.

M.^r Dulany, from the Committee appointed, delivers to M.^r Speaker the following Report, viz.

Maryland, ss.

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, established by the Act of Assembly,

May 22, 1756,

Were Present,

The Honourable Samuel Chamberlaine, Esq; of the Upper House;

M. ^r Walter Dulany,	} of the Lower House.
M. ^r Michael Earle,	
Col. John Henry,	
M. ^r Alexander Williamson,	
M. ^r John Bracco, and	
M. ^r Josiah Beall,	

Who agreed to make the following Report.

Your Committee, at the Desire of the Commissions, did count over, and see destroyed, by burning to Ashes, the following torn and defaced Bills, amounting to the Sum of £1110: 2 viz.

92 Bills of Twenty Shillings Value each.....	£. 92: 0: 0
104 Bills of Fifteen Shillings Value each.....	78: 0: 0
257 Bills of Ten Shillings Value each.....	128: 10: 0
576 Bills of Five Shillings Value each.....	144: 0: 0
1414 Bills of Two Shillings and Six-Pence Value each	176: 15: 0
3444 Bills of One Shilling and Six-Pence Value each	258: 6: 0
4651 Bills of One Shilling Value each.....	232: 11: 0
	<hr/> £. 1110: 2: 0

L. H. J. Which is submitted to the Consideration of Both Houses of As-
 Liber No. 48 ssembly, by
 May 22

Samuel Chamberlaine,
 Walter Dulany,
 Michael Earle,
 John Henry,
 Alexander Williamson,
 John Bracco,
 Josiah Beall.

Col. Tasker, from the Upper House, delivers to M.^r Speaker the several Paper Bills, the ingrossed Bills of which had been assented to by both Houses this Session, which said Paper Bills were severally thus indorsed, viz. The ingrossed Bill, whereof this is the Original, is read and assented to by the Upper House of Assembly.

Signed 7p Order, J. Ross, Cl. Up. Ho.

The following Resolve, viz.

(This House taking into Consideration the many Irregularities in the Proceedings of this Session of Assembly, more especially relative to a Bill, For granting the Sum of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same, and the many Concessions they have made, in order to obtain the Passage of that Bill, even derogatory of their own and the Peoples just Rights, Do Resolve, That being urged by the dangerous Situation of Affairs, and the miserable Distress of the back Inhabitants of this Province, who have been exposed to the Incursions and most horrid Cruelty of barbarous Savages, and by the unparliamentary Proceedings of the Upper House, they have been put under the Necessity of going into many Irregularities in their Modes of Proceeding, and even departing from their ancient and undoubted Rights and Privileges, and that therefore no Irregularity of Proceeding, Concession, or Condescension whatsoever, had or made in respect of that Bill, or any other of the Proceedings of this Session, ought hereafter, by any Branch of the Legislature, to be drawn into or insisted upon as a Precedent.)

Was ordered to be entered on the Journal.

Ordered, That the Bill to prevent the Growth of Popery, sent down from the Upper House, with the Amendments proposed by the Lower House, be printed with the Votes and Proceedings.

Ordered, That Col. Tilghman and M.^r Carroll do acquaint the Governor, That no public Business is now before this House to transact.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.
Liber No. 48
May 22

The House met according to Adjournment, &c.

In Pursuance of the Order of the House, the following Bill is here inserted, viz.

An Act to prevent the Growth of Popery within this Province.

Whereas, under the present unhappy Circumstances of this Province, with Respect to an Indian War, and the dreadful Apprehensions of an Invasion by a foreign Enemy, in Conjunction with the Savages, with Intent to destroy the Liberties we enjoy under our present most happy Constitution in Church and State, it is thought necessary and expedient to take all reasonable and just Measures to prevent the Growth of Popery, and to lay the Popish Priests and Jesuits (those great Enemies to our Laws, Liberties and Religion), under some more severe Restraint than they have heretofore been; and whereas it is a Matter of Doubt, which of the Penal Laws heretofore made in the Kingdom of England, are extended and can be put in Execution against Popery within this Province; and in order to quiet the Minds of some of his Majesty's faithful Subjects, who may be under some Dread of the undue Influence of the Priests and Jesuits upon the Minds of thoughtless and ignorant Persons, it is humbly prayed that it may be enacted,

And be in Enacted, by the Right Honorable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That if any Person or Persons whatsoever, within this Province, shall hereafter send, or cause to be sent, any Child or any other Person under his or their or any of their Government, beyond the Seas, out of the King's Obedience, to the Intent to enter into, or reside in, or repair to, any Colledge, School, or other Seminary of Learning, of any Popish Order, Profession, or Calling, to be instructed, persuaded, or strengthened, in the Popish Religion, or in any Sort to profess the same, every such Person, so sending or causing to be sent any such Child or other Person, under his, their, or any of their Government, shall forfeit and pay the Sum of One Hundred Pounds Sterling, and be disabled from holding any Public Office in this Province hereafter; and every such Person, so passing or being sent beyond the Seas, out of the King's Obedience, and shall enter into, or reside in, any such College, School, or other Seminary of Learning, of any Popish Order, Profession, or Calling, and be there instructed and educated in the Popish Religion, shall, in respect of him or herself only, and not in respect of any of his or her Heirs, or Posterity, be disabled to inherit, purchase, take, have, or enjoy, any Profits, Hereditaments, Chattels, Debts, Legacies, or Sums of Money, by Virtue of any Devise, Bequest, Gift, Grant, Bargain and Sale, or other Conveyance or Donation whatsoever: And

L. H. J.
Liber No. 48
May 22

that all Estates, Terms, and other Interests whatsoever, to be made, suffered, or done, to the Use or Behoof of any such Person, or upon any Trust or Confidence mediately or immediately to or for the Benefit or Relief of any such Person, shall be utterly void. Provided always, That if such Child or Person, being of the Age of Eighteen Years, or above, so passing or sent beyond the Seas as aforesaid, to such Intent as is beforementioned, shall, within Six Months next after his Arrival in this Province, become conformable and obedient unto the Laws and Ordinances of the Church of England, and go before some Provincial Justice, or some Justice of the Peace of the County where he shall arrive or reside, and take the several Oaths to the Government, appointed to be taken by Act of Assembly, and subscribe the Test and Oath of Abjuration, and shall continue in such Conformity and Obedience to all the Ordinances of the same Church, every such Child and Person, for and during such Time as he shall so continue in such Conformity and Obedience, shall be freed and discharged of and from all and every such Disability and Incapacity as beforementioned.

And be it further Enacted, That every Person or Persons who shall, from and after the Twenty-ninth Day of September next ensuing, keep any Public or Private School, or Seminary, or teach and instruct any Youth as Tutor or School-master, within this Province, without having first taken the Oaths to the Government, and subscribing the Test and Oath of Abjuration, before some Provincial or County Magistrate, and also having obtained a Licence from the Governor or Commander in Chief, for the Time being, and shall thereof be convicted, upon an Information, Presentment, or Indictment, in any of his Lordship's Courts of Record within this Province, or before Justices of Oyer and Terminer, shall and may be committed to the common Goal of such County where such Conviction shall happen, there to remain, without Bail or Main-prize, for the Space of Three Months, to commence from the Time that such Person or Persons shall be received into the said Goal. Provided always, and be it hereby Enacted, That no Licence shall be granted by the Governor or Commander in Chief, for the Time being, unless the Person or Persons who shall sue for the same, shall produce a Certificate of his or their having received the Sacrament, according to the Usage of the Church of England, in some Parish Church within this Province, within the Space of One Year next before the Grant of such Licence, under the Hand of the Minister of the said Parish, and also produce a Certificate that he hath taken the several Oaths to the Government, appointed by Act of Assembly to be taken, and hath subscribed the Test and Oath of Abjuration, from such Magistrate before whom such Oaths were taken, and such Subscription made.

And be it further Enacted by the Authority aforesaid, That any Person who shall have obtained a Licence, and taken and subscribed the Oaths and Test above appointed, and shall at any Time after, during the Time of his or their keeping any Public or Private School, or Seminary, or instructing any Youth as Tutor or School-master, knowingly or willingly resort to, or be present at, any Conventicle, Assembly, or Meeting, for the Exercise of Religion, although the Liturgy be there used, where his Majesty King George shall not be there prayed for in express Words, except where such particular Offices of the Liturgy are used, wherein there are no express Directions to pray for his Majesty and the Royal Family, shall be liable to the Penalties in this Act, and shall from thenceforth be incapable of keeping any Public or Private School, or Seminary of Learning, or instructing any Youth as Tutor or School-master. Provided always, That this Act, or any Thing therein contained, shall not extend, or be construed to extend, to any Tutor who shall be employed in the Family of any Roman Catholic within this Province, to teach such Children only as are descended from Roman Catholic Parents, or to deprive any Protestant Dissenter or Dissenters whatsoever from the Benefits and Advantages they enjoy, by the Toleration and Ease granted to such Dissenters by an Act of Parliament, made in the first Year of the Reign of King William and Queen Mary, entituled, An Act for exempting their Majesties Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws; any Thing herein contained to the contrary thereof, in any wise, notwithstanding. Provided also, and be it further Enacted by the Authority aforesaid, That if any Person, who shall have been convicted as aforesaid, and thereby made incapable to teach or instruct any Youth as aforesaid, shall, after such Conviction, conform to the Church for the Space of One Year, without having been present at any Conventicle, Assembly, or Meeting, as aforesaid (except as before excepted), and receive the Sacrament of the Lord's Supper, according to the Rites and Usage of the Church of England, at least three Times in that Year, every such Person or Persons shall be again capable of having and using a Licence to teach School, or to instruct Youth as a Tutor or School-master, he or they also performing all that is made requisite thereunto by this Act.

L. H. J.
Liber No. 48
May 22

p. 293

And be it further Enacted, That if any Popish Priest or Jesuit shall hereafter, by any Ways or Means whatsoever, put in practice, engage, seduce, persuade, convert, and withdraw, or attempt or endeavour to engage, seduce, or persuade, convert, and withdraw, any of his Majesty's Subjects within this Province from their natural Obedience to his Majesty, and from the Religion now by Law established within his Majesty's Dominions, to the Romish Religion, or to move them, or any of them, to promise any Obedience to any pretended Authority of the See of Rome, or of any other Prince, State, or

L. H. J.
Liber No. 48
May 22

Potentate, to be had or used within his Majesty's Dominions, or shall do any overt Act to that Intent or Purpose, and every of them shall be, to all Intents and Purposes, adjudged to be a Traytor or Traytors, and being thereof lawfully convicted, shall have Judgment, suffer and forfeit, as in Case of High-Treason. And if any Person, now being a Protestant, of the Age of Eighteen Years, or upwards, shall, after the End of this Session of Assembly, by any Means be willingly absolved, or withdrawn, as aforesaid, or willingly be reconciled, or shall promise any Obedience to any such pretended Authority, Prince, State, or Potentate, as is aforesaid, that then every such Person, their Procurers and Counsellors thereunto, being thereof lawfully convicted, shall be taken, tried, and adjudged, and shall suffer and forfeit as in Case of High-Treason.

And be it likewise Enacted and Declared, That all and every Person and Persons that shall wittingly be Aiders or Maintainers of such Persons, so offending, as is above expressed, or any of them knowing the same, or who shall conceal any Offence as aforesaid, and shall not, within Three Months at the farthest, after such Person's Knowledge of such Offence, disclose the same to some Provincial Justice, or Justice of the Peace of the County where such Offence shall be committed, shall be taken, tried and adjudged, and shall suffer and forfeit, as Offenders in Misprision of Treason.

p. 294

And be it further Enacted, That all and every Person and Persons that shall offend, contrary to this present Branch of this Act, shall be indicted, tried and proceeded against, by and before the Justices of Assize and Goal Delivery of that County, for the Time being, where he or they shall be apprehended and taken up, or before the Justices of the Provincial Court of this Province, and be there proceeded against according to the Laws and Statutes of England against Traitors, as if the same Offence had been committed in the same County where such Person or Persons shall be so taken; any Law, Usage, or Custom, to the contrary, in any wise, notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any Popish Priest or Jesuit, who shall hereafter intermarry any Protestant Man with a Popish Woman, and shall, before or after such Intermarriage, by any Ways and Means whatsoever (in order to gain and make Converts to the Romish Religion) engage, seduce, and persuade, or endeavour to engage, seduce, or persuade, such Protestant Man, to make any Promise or Assurance to the said Popish Priest or Jesuit, or to the said Papist Woman, to bring up, train, and educate, such Children, or any of them, in the Romish Religion, as he the said Protestant Man shall beget of her the said Papist Woman, he the said Popish Priest or Jesuit, shall forfeit and pay, for every such Offence, and being convicted thereof, the Sum of One Hundred Pounds Currency.

And be it further Enacted by the Authority aforesaid, That all and every Popish Priest, Jesuit and Jesuits, within this Province, not having any Interest in any Lands, Tenements, or Hereditaments, shall, within Six Months from the passing of this Act, and every Year hereafter, during the Continuance of this Act, give in to the Clerk of the County Court, wherein he or they shall reside, his and their Name and Names, and Place and Places of Abode, in Writing; or in Default thereof, shall forfeit and pay the Sum of Two Hundred Pounds for every such Neglect or Omission to do the same; and that the said County Clerk shall record the Name and Names of such Popish Priests and Jesuits, and every of them, among the Records of such County, and shall transmit, on or before the 29th Day of September yearly, a Certificate thereof to the Clerk of the Council, for the Time being, to be by him safely kept.

L. H. J.
Liber No. 48
May 22

And be it further Enacted, That all and every Popish Priest and Priests, Jesuit and Jesuits, having any Estate or Interest in any Lands, Tenements, or Hereditaments, lying, being or arising, within this Province, shall, within Six Months after the passing of this Act, register, or procure to be registered, with the Clerk of the County Court, where he or they shall reside, his and their Name and Names, and give in to the same Clerk a List or Lists of all such Lands, Tenements, and Hereditaments, whereof he or they, or any Trustee or Trustees for him or them, or his or their Benefit or Advantage, shall be in Possession, or in the Receipt or Perception of the Rents or Profits, and shall express, or cause to be expressed, in such List or Lists, in what Parish or Place such Lands, Tenements, or Hereditaments, and every Part thereof, lie or arise, and who, for the Time being, is or are Possessors thereof, and of every Part thereof, and what Estate or Interest he or they, whose Name or Names is or are so registered respectively, have in the same, and in every Part and Parcel thereof respectively, and the yearly Rent reserved to him or them for the same, if the same shall be let; and if the same shall be let upon Lease, then by whom such Lease was made, and what yearly or other Rent is reserved thereupon; or in Default thereof, shall forfeit and pay Two Hundreds Pounds Currency; and also for every Offence, after such Conviction, shall forfeit and pay, at the End of every Six Months that shall thereafter happen, the Sum of Two Hundred Pounds Currency, during the Time that he or they shall reside in this Province, and shall omit or neglect to comply with this Clause in this Act.

And be it further Enacted, That the Clerk of the said County Court where such Registry is made, and List or Lists is or are given in, shall, on or before the 29th Day of September next thereafter, transmit a Certificate of such Registry, and List or Lists, to the Clerk of the Council for the Time being, to be by him safely and securely kept. And to the End that the said Popish Priests and Jesuits may

p. 295

L. H. J.
Liber No. 48
May 22

find no Difficulty in procuring their Names and Estates to be registered as aforesaid, all and every such County Clerk and Clerks are hereby required, by themselves or their lawful Deputies, to register and enter among the Records of the County, whereof he or they is or are Clerk or Clerks, the Christian and Surnames of all such Popish Priests or Jesuits, who shall come in Person and desire to be registered as aforesaid, or shall send any Writing under his or their Hand or Hands to such Clerk, desiring him to register his or their Name or Names, and shall also register the Estate in Lands, Tenements, and Hereditaments of every such Popish Priest and Priests, Jesuit and Jesuits, in such Manner and in such Words as he or they shall, by any Writing signed by him or them respectively, desire such Clerk to register the same. Provided always, that the Popish Priest or Priests, Jesuit or Jesuits, who desire such Registry to be made, shall pay to such Clerk his lawful Fees for such Registry as is abovementioned.

And be it further Enacted, That all and every such Popish Priest and Priests, Jesuit and Jesuits, having, at the Time of the making of this Act, any Estate in Lands, Tenements, or Hereditaments, lying and being within this Province, shall within Three Years after the End of this Session of Assembly, by Deed or Deeds of Bargain and Sale, or other proper Conveyance or Conveyances, give, grant, bargain, sell and convey, all his and their Right, Title, Interest, Claim, Property and Demand whatsoever, of, in, and to, all and singular such Lands, Tenements, and Hereditaments, which shall be mentioned in such List, so registered as aforesaid; or in Default thereof, shall forfeit and lose all the Estate, Right, Title, and Interest, of, in, and to, all such Lands, Tenements, and Hereditaments, not sold or disposed of by such Popish Priest and Priests, Jesuit and Jesuits, and which by this Act he or they ought to have sold or disposed of.

And be it further Enacted, That all and every Popish Priest and Priests, Jesuit and Jesuits, by the Authority of this Act, and from and after the passing thereof, shall be disabled and made incapable to inherit, purchase, take, have, or enjoy, any Manors, Lands, Tenements, Annuities, Profits, Commodities, Hereditaments, Goods, Chattels, Legacies, or Sums of Money, within this Province, by Descent, Donation, Devise, or Purchase, or by any other Means whatsoever; and that all and singular Estates, Terms and other Interests whatsoever hereafter, and after the passing of this Act, to be made, suffered, or done, to or for the Use or Behoof of any Popish Priest and Priests, Jesuit and Jesuits, or upon any Trust or Confidence mediately or immediately, to or for the Benefit or Relief of any such Popish Priest and Priests, Jesuits and Jesuits, shall be utterly void and of none Effect, to all Intents, Constructions, and Purposes whatsoever.

L. H. J.
Liber No. 48
May 22

And to prevent any collusive Sale and Disposition of any of the Lands, Tenements, and Hereditaments, held and possessed by any Popish Priest or Jesuit, Be it further Enacted by the Authority aforesaid, That if any Popish Priest or Jesuit shall, after such Sale and Disposal of such Lands, Tenements, and Hereditaments, remain and be in Possession of, or receive directly or indirectly, any Rents, Issues, or Profits, of any such Lands, Tenements, and Hereditaments, directed by this Act to be sold and disposed of, the same Lands, Tenements, and Hereditaments, that shall be so possessed by any such Popish Priest or Jesuit, or whereof he shall receive the Rents, Issues, and Profits, after such Sale as aforesaid, shall be forfeited.

And be it further Enacted, That every Popish Priest and Jesuit, now in this Province, or who shall remain and be in this Province until the next County Court, held for the County where he shall be and reside, and where he shall have registered and entered his Name and Place of Abode with the Clerk of the same County Court, shall, after such Registry and Entry as aforesaid, with such Clerk, appear in Person at such County Court, and enter into a Recognizance, with two Securities, before the Justices of the same Court, in the Sum of Five Hundred Pounds to the Right Honourable the Lord Proprietary of this Province, with Condition to the same Recognizance annexed, That he shall keep the Peace and be of good Behaviour, during the Continuance of this Act, and shall not depart this Province without the Licence of the Governor or Commander in Chief, for the Time being, first had and obtained, and in Default thereof shall forfeit and pay the Sum of Two Hundred Pounds Currency.

And be it further Enacted, That every Popish Priest and Jesuit, who shall hereafter come into this Province, shall, within one Month after his coming into the Province, give in to the Clerk of the County Court, wherein he shall happen to be or arrive, his Name and intended Place of Residence, in Writing, and shall go before some Provincial Magistrate, or Magistrates of such County Court, and enter into a Recognizance, with two Securities, before such Magistrate, in the Sum of Five Hundred Pounds, to the Right Honourable the Lord Proprietary of this Province, with Condition to the same Recognizance annexed, that he shall keep the Peace and be of good Behaviour, during the Continuance of this Act, and shall not depart this Province without the Licence of the Governor or Commander in Chief, for the Time being, first had and obtained; and in Default thereof shall forfeit and pay the Sum of Two Hundred Pounds Currency; and that such Magistrate, taking such Recognizance, shall return the same to the next County Court that shall happen for such County after the taking thereof, to be entered among the Records of the same Court; and that such Clerk, to whom the

L. H. J. Name and intended Place of Abode of such Popish Priest and Jesuit
 Liber No. 48 shall be given in, shall enter the same among the Records of such
 May 22 County, and transmit a Certificate thereof, on the Twenty-ninth Day
 of September yearly, to the Clerk of the Council, for the Time being,
 to be by him safely and securely kept.

And be it further Enacted by the Authority aforesaid, That if any itinerant Popish Priest or Jesuit, after his coming into or arriving in this Province, and before the Entry of his Name, and intended Place of Residence, with the Clerk of the County Courts, as above-mentioned, shall presume to preach, pray, or say Mass, either Public or Private, to any Number or Congregation of Persons whatever, he shall forfeit and pay, for such Offence, and being convicted thereof, the Sum of One Hundred Pounds Current Money.

And for the better Discovery of such Persons, who are Popish Priests or Jesuits, and may conceal themselves, and travel about in Disguise, Be it further Enacted, That if any Person, who shall be suspected to be a Jesuit, Seminary or Massing Priest, being examined by any Person of Credit and Repute, shall refuse to answer directly and truly whether he be a Jesuit, or a Seminary or Massing Priest, as aforesaid, every such Person, so refusing to answer, shall be taken up and carried before the next Justice of the Peace for the County where he shall be so taken, and if he persists in refusing to give Answer directly and truly before such Magistrate, whether he be a Jesuit, Seminary or Massing Priest, shall, for his Disobedience and Contempt in that Behalf, be committed to Prison by such Justice as aforesaid, and thereupon shall remain and continue in Prison, without Bail or Mainprize, until he shall make direct and true Answer to the said Questions, whereon he shall be so examined.

And be it further Enacted, That all such Armour, Gunpowder, and Ammunition, of whatsoever Kinds, as any Papists whatever, within this Province, hath or shall have in his House or Houses, or elsewhere, or in the Hands and Possession of any other Person at his or their Disposition, shall be taken from such Papist or Others, which have or shall have the same to the Use of such Papist, by Warrant of any Four Justices of the Peace of the County where
 p. 297 such Papist shall be Resident (other than such necessary Weapons as shall be thought fit by the same Justices to remain and be allowed for the Defence of the Person or Persons of such Papists, or for the Defence of his, her or their Houses), and that such Armour and Ammunition, so taken, shall be kept and maintained in such Places as the Justices of the Peace, for the said County, shall, at their next County Court, direct and appoint.

And be it further Enacted by the Authority aforesaid, That if any such Papist, having, or which shall have, any such Armour, Gunpowder, and Ammunition, or any of them, or if any other Person

L. H. J.
Liber No. 48
May 22

or Persons, who shall have any such Armour, Gunpowder, and Ammunition, or any of them, to the Use of any such Papist, shall refuse to declare or manifest to the said Four Justices, or either of them, what Armour, he, she or they have, or shall have, or shall let, hinder, or disturb, the Delivery thereof to the said Justices, or to any other Person or Persons authorized by their Warrant to take and seize the same, then every such Person, so offending, contrary to this Act in this Behalf, shall forfeit and lose, to the Right Honourable the Lord Proprietary, his Heirs and Successors, his and their said Armour, Gunpowder, and Ammunition; and shall also be imprisoned by Warrant of or from any Four Justices of the Peace of such County, by the Space of Three Months, without Bail or Mainprize.

And to prevent the Importation of Irish Papists into this Province, by Way of Newcastle on Delaware, Be it Enacted by the Authority aforesaid, That no Person whatever shall import or bring into this Province from or by Way of Newcastle, or any other Part or Place in the Counties of Newcastle, Kent, and Sussex upon Delaware, or from any Part or Place in the Province of Pennsylvania, any Irish Servant or Servants, being Papists, whatsoever, on Pain of forfeiting Twenty Pounds Current Money for every such Servant so by him or them imported, or brought into this Province, as aforesaid. Provided always, That nothing herein contained shall hinder any Person or Persons, who shall remove from any of the Places aforesaid, in order to settle and reside within this Province, from bringing with him, her, or them, such menial Servant or Servants as he, she, or they, shall be possessed of at the Time of his, her, or their Removal.

And be it further Enacted, that all the several Fines and Forfeitures imposed by this Act, shall be divided into two equal Parts, whereof one Half shall be paid to the Right Honourable the Lord Proprietary, his Heirs and Successors, for Support of Government; the other Half to the Informer, or him or them that will sue for the same, in any Court of Record, having Jurisdiction thereof, by Action of Debt, Bill, Complaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed.

Provided always, and be it further Enacted, That an Act made at a General Assembly, begun and held at the Town and Port of Annapolis the second Day of April, in the Year of our Lord God Seventeen hundred and Six, entituled, An Act declaring several Acts of Parliament, made in the Kingdom of England, to be in Force within this Province, be, and is hereby repealed and made void.

This Act to continue for Five Years, and to the End of the next Session of Assembly which shall happen after the Expiration of the said Five Years.

L. H. J. An Act for regulating the Militia of the Province of Maryland.
 Liber No. 48
 May 22

p. 298 Whereas in this Time of Immiment Danger it is requisite for the Defence and Security of this Province that the Militia thereof be duly regulated and well Armed as well to repell the hostile Attempt of foreign Invaders as to quell and Suppress any intestine Com-motions Rebellions or Insurrections which may happen.

Be it therefore Enacted by the Right honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the Same that every Male Inhabitant of this Province (Papists, the Persons commonly called Neutralls, Servants, and Slaves excepted) who shall be from the Age of Sixteen Years to the Age of Sixty Years and able to bear Arms at the Expiration of Ten days after the Publication of this Act in the County wherein he shall reside shall inlist with the Captain or next Commanding Officer of the Troop of Horse or Company of Foot in the District or Place where such Person shall reside by writing his name or making his Mark (as he shall be able) in a Roll to be Entituled and kept for that Purpose within Ten Days from and after the Publication of this Act as aforesaid under the Penalty of forty Shillings Current Money and the Same Penalty for every Thirty days Neglect or Omission thereafter and all Captains within this Province are hereby directed and commanded to take due Care to Inlist accordingly all such Persons as aforesaid and in Case of dispute whether any Person ought to inlist in respect of his Age the Same Shall be determined by the Officer before whom Such Dispute Shall happen by the Oath of the Person whose Age shall be in Question or the Oath or Affirmation (if a Quaker) of his Parent or some other credible Witness which Oath or Affirmation the Said Officer is hereby authorized to Administer.

And Be it further Enacted by the Authority aforesaid that all and every Male Person and Persons (except as above excepted) who shall attain his or their Age of Sixteen Years or come into and Settle in this Province after the Expiration of the aforesaid Ten Days from and after the Publication of this Act and be of the Age aforesaid Shall within Ten days after his or their attaining their Said of Sixteen Years or Twenty Days after his or their Arrival within this Province inlist in the manner aforesaid under the Penalty of Forty Shilling Current Money and the Same Penalty for every Thirty days Neglect or Omission hereafter so to inlist as aforesaid.

And be it Enacted by the Authority aforesaid that the Colonels or Commanding Officers of all Regiments Troops and Company's shall in Ten days after the Publication of this Act in their respective Counties and once at least in every Two Months thereafter issue

their Warrants to their inferiour Officers directing them to make diligent Inquiry in their respective Districts whether all Persons have inlisted according to the Directions of this Act and to return the Names of all Defaulters in that behalf to the end that they may be punished according to this Act and the Colonel or Commanding Officer Neglecting his Duty herein shall forfeit and pay the Sum of Twenty Pounds Current Money for every Neglect and the inferiour Officer charged with the Execution of such Warrant for every Neglect of his Duty herein shall forfeit and pay the Sum of five Pounds Current Money And be it Enacted by the Authority aforesaid that all and every Person and Persons to be inlisted according to the Directions of this Act Shall take the following Oath to wit "I do swear that I will be faithful and bear true Allegiance to his Majesty King George the Second and him I will defend to the utmost of my Power against all Treasons traiterous Conspiracies and Attempts whatsoever and I will do my best Endeavour to disclose and make known to the Governor or Commander in Chief for the Time being of the Province of Maryland whilst I shall reside in the Said Province all Treasons and traiterous Conspiracies which I shall know to be against his Said Majesty or his Successors and I do further swear that I will to the utmost of my Power defend Support and Maintain his said Majesty's Dominion in and over the Said Province and also defend Support and maintain the Peace of the said Province against all Invasions Rebellions and Insurrections whatsoever and all these things I do plainly and Sincerely Swear according to these express words by me Spoken and according to the plain and common Sense and understanding of the Same words without any Equivocation mental Evasion or Secret Reservation whatsoever so help me God" And shall also repeat and Subscribe the Test before a Magistrate of his County which Said Oath any Magistrate who shall be required by the Captain or Commanding Officer of any Troop or Company) is hereby Obligated to Administer to every Person who shall inlist as aforesaid under the Penalty of One hundred Pounds Current Money in Case of neglect so to do And if any Person inlisted as aforesaid being required to take the Oath aforesaid and repeat and Subscribe the Test aforesaid shall refuse or wilfully neglect to do the Same then and in Such Case the Magistrate aforesaid is required to Committ Such Person so neglecting or refusing to the County Goal by his Warrant to be directed to the Sheriff of that County and the said Sheriff is hereby required and directed to receive and take into his Custody and Strictly to confine Such Person so as aforesaid To him committed untill Such Person Shall take the Oath aforesaid and repeat and Subscribe the Test aforesaid and pay his Fees or pay the Sum of One hundred Pounds Current Money to Such Sheriff together with his Fees and if any Person who shall be so committed and discharged out of

L. H. J.
Liber No. 48
May 22

p. 299

L. H. J.
Liber No. 48
May 22

Custody upon Payment of the aforesaid Sum of One hundred Pounds Current Money and Fees aforesaid Shall Presume to have or keep in his Possession or in his House or upon his Plantation or elsewhere any Fire-Arms or Ammunition Such Person Shall forfeit and pay the further Sum of One hundred pounds Current Money

And be it Enacted by the authority aforesaid that in Ten days after the Publication of this Act the Colonel or Commanding Officer of every Regiment Troop or Company in the Militia of this Province shall issue his Warrant to his inferiour Officers directing them to make diligent Search and Enquiry in their respective District what Arms and Ammunition shall be therein and return what Number of Arms and what Quantitiy of Ammunition they Shall on such Search and Enquiry find or discover and the Condition and kind of such Arms and Ammunition and who shall be possessed thereof distinctly in Writing under the Penalty of Twenty Pounds Current Money upon the Colonel or Commanding Officer aforesaid neglecting his duty in this Behalf and the Penalty of Five Pounds Current Money on the Inferiour Officer charged with the Execution of Such Warrant who shall neglect within five days after receipt of such Warrant to comply with his Duty herein and all and every Person and Persons shall on Demand produce his or their Arms and Ammunition to the Said Officers charged with the Execution of Such Warrants under the Penalty of Five Pounds Current Money for his or their every wilfull neglect or refusal so to do And Whereas on many Occasions Arms Ammunition and military Accoutrements of different Kinds have been delivered out of the public Magazines of this Province and are now dispersed among the Inhabitants and have been Sold or Sent from one to another and it is represented that the Locks have been taken of from many of the Said Arms and put to private Use therefore for discovering the Said Arms Ammunition and Military Accoutrements and Locks and rendering of Service towards Arming the Militia of this Province in this Time of common Danger Be it Enacted by the Authority aforesaid that the Captain of every Troop or Company of Militia shall within Ten Days after the Publication of this Act issue his Warrant to his Several Corporals to make diligent Inquiry within their Limits for all Arms military Accoutrements and Locks belonging to the Public and the Said Corporals are hereby required as soon as may be after receipt of such Warrant to repair to the Habitation of every Housekeeper within their respective Limits and demand of him Such Arms Ammunition Military Accoutrements and Locks as he hath in his Possession belonging to the Public and immediately on Such Demand Such Person shall deliver the Same to the Said Corporals And the Said Corporals shall give Receipts for all Such Arms Ammunition military Accoutrements and Locks as Shall be delivered

to them and Shall bring them from Time to Time to the next Muster after the Receipt thereof and deliver them to the Commanding Officer who shall be there present, who shall give the Said Corporal a Receipt for the Same and Shall forthwith deliver them to the Colonel or Commanding Officer of the County, who shall give the Said Officer a proper Receipt for the Same and Such and so much of the Said Arms Ammunition and military Accoutrements as are fit for Service Shall by the Said Colonel or Commanding Officer of the County be delivered to Such Persons of the Militia as are by this Act deemed unable to provide the Same. And Such Arms and Military Accoutrements so delivered to him as Shall be unfit for Use the Said Colonel or Commanding Officer of the County Shall have mended and made fit for Use as soon as Possible and delivered out as aforesaid and his reasonable Charge for the Same shall be allowed in next County Levy.

L. H. J.
Liber No. 48
May 22

And be it further Enacted by the Authority aforesaid that every Person of whom any Arms Ammunition military Accoutrements or Locks belonging to the Publick Shall be demanded as aforesaid refusing to deliver the Same as before directed immediately on Such Demand Shall forfeit and pay treble the Value of Such Arms Ammunition military Accoutrements and Locks with Costs to be recovered in a Summary Way before any Magistrate of the County wherein Such Person Shall reside And in Case any Justice of the Peace Shall by any means be informed or Suspect that any Person hath in his or her Possession any arms Ammunition military Accoutrements or Locks belonging to the Publick after such demand made by the Corporal as aforesaid he shall issue his Warrant immediately to Such Corporal or his Successor to Seize and take Such Arms Ammunition military Accoutrements and Locks and bring them together with Such Person before him and in Case it Shall appear that the Same do belong to the Publick the Said Person Shall forfeit and pay Treble the Value thereof and moreover the Said Justice shall order the Said Corporal to keep Safe deliver them up as before directed and Shall give Judgment against Such person to pay Such Corporal two Shillings and Six pence Current Money And if any Dispute Shall arise at any Time whether any Arms Ammunition military Accoutrements or Locks do belong to the Publick or not the Onus probandi shall lie on the Person in whose Possession the Same Shall be

And be it further Enacted by the Authority aforesaid that every Colonel or Commanding Officer of the County and every other Officer above the Degree of a Captain who shall neglect his Duty by this Branch of this Act shall forfeit and pay the Sum of Twenty Pounds Current Money for every Such Neglect every Captain or Commission Officer under the Degree of a Captain the Sum of Five Pounds and every Corporal the Sum of two Pounds ten Shillings,

p. 301

L. H. J.
Liber No. 48
May 22

And be it further Enacted that all Arms Gunpowder and Ammunition of what kind soever any Papist or reputed Papist within this Province hath or shall have in his House or Houses or elsewhere shall be taken from Such Papist or reputed Papist by Warrant under the hand of one Justice of the Peace for the County wherein such Papist or reputed Papist shall be Resident and that the said Arms and Ammunition so taken Shall be kept in Such Place as the Said Justice shall appoint.

And be it further Enacted that if any Such Papist or reputed Papist having or which Shall have any Armes Gunpowder and Ammunition or any of them shall refuse to declare or manifest the Same to the Said Justice of the Peace or to any other Person Authorized by the Warrant of the Said Justice to take and Seize the same then every Such Person so Offending shall forfeit and lose the Said Armour Gunpowder and Ammunition and Shall also be imprisoned by Warrant of or from the Said Justice for the Space of three Months without Bail or Mainprize.

And be it further Enacted by the Authority aforesaid that the Captain or Commanding Officer of every Troop or Company shall deliver to the Colonel or Commanding Officer of his County in Twenty days after the Publication of this Act a true and compleat Roll under his hand containing the Names of all the Persons belonging to and inlisted as aforesaid in his Troop or Company and their respective Ages distinguishing therein Such as shall be provided with Arms from such as Shall not under the Penalty of Ten Pounds in Case of Neglect or Omission thereof And the Said Colonel or Commanding Officer of the County Shall forthwith after the Receipt of Such Roll deliver or Send the Same (keeping a Copy thereof) to the Governor or Commander in Chief for the Time being under the Penalty of Twenty Pounds Current Money in Case of neglect or Omission thereof

And be it Enacted by the Authority aforesaid That the Captain or Commanding Officer of every Troop or Company shall besides the general Roll herein before mentioned make a particular Roll containing the Names of all Persons inlisted as aforesaid in the Troop or Company who Shall be from the Age of Eighteen to the Age of Thirty five Years and in Such Roll insert the Names of Such Persons in Such Order as shall be determined by Ballot or lott for that Purpose to be taken or drawn by the Said Persons in Twenty Days after the Publication of this Act and forthwith thereafter return a true Copy of such Roll to the Clerk of the County wherein he shall reside to be recorded by such Clerk who is hereby directed and required to record the Same without Fee or Reward under the Penalty of Twenty Pounds Current Money on the Captain or Commanding Officer aforesaid or Clerk of a County who shall neglect

L. H. J.
Liber No. 48
May 22

or omit to do the Same. Provided always that in Case any of the Persons aforesaid of the Militia from the Age of Eighteen to the Age of thirty five Years Shall on convenient Notice for that Purpose given either by a Personal Service of Such Notice or leaving the Same in Writing at his usual Place of Habitation refuse or neglect to take or draw Such Ballott or Lott as aforesaid then and in Such Case the Names of Such persons so refusing or Neglecting shall be inserted in such Roll before the name of Every Person who shall take or draw Such Ballott or Lott as aforesaid in Such Manner and order as the Said Captain or Commanding Officer shall think Proper And be it Enacted by the Authority aforesaid that after the Colonels or Commanding Officers aforesaid shall have received any Arms belonging to the Publick they shall distribute the same to and among Such Persons under their Command as Shall need or want the Same every Such Person giving a Receipt for such Arms and Paying or Securing to be paid in Nine Months after the Delivery of Such Arms the first Cost thereof to the Said Colonels or Commanding Officers unless Such Person will Swear that his whole Estate real and Personal is not of the Value of forty Pounds Sterling in which Case a Receipt only shall be taken from such Person And the Colonels or Commanding Officers aforesaid are hereby required and directed to take all the Receipts aforesaid in a Book by them for that Purpose to be kept to the End that it always may appear who have been provided with Arms and how the Said Colonels and Commanding Officers have distributed the Arms received by them for the Purpose aforesaid

p. 302

And be Enacted by the authority aforesaid that after the Decease of Such Person to whom Arms Shall be delivered on his Receipt only as aforesaid or Incapacity from Age Infirmary or otherwise to Serve in the Militia the Person into whose Possession the Arms of Such Person as aforesaid Shall come or he Shall deliver the Said Arms respectively to the Commanding Officer of Such deceased or incapacitated Person under the Penalty of Five pounds Current Money on Failure thereof for the Space of Twenty days after the Incapacity or decease of Such Person.

And be it Enacted by the Authority aforesaid that every Colonel or Commanding Officer to whom Arms shall be delivered as aforesaid shall again deliver the Same to Such Person or Persons under his command as may want them and have not an Estate as aforesaid of the Value of forty pounds Sterling and shall once every Three Months at least transmit an Account of the Same to the Governor or Commander in Cheif for the Time being distinguishing from whom and at what Time he received the Same and to whom by him delivered again and the Colonel or Commanding Officer for Default of his Duty by this Clause required Shall forfeit and pay

L. H. J.
Liber No. 48
May 22

the Full Value of Such Arms and also the further Sum of Twenty Pounds Current Money And be it Enacted by the Authority aforesaid That no Arms whatsoever which shall be used by any Officer or private person of the Militia as the Proper Arms of Such Officer or private Person Shall be liable to the Satisfaction of any Debt whatsoever or be Seized or taken by or upon any manner of Distress writ of Execution or any Process whatsoever (except that of Attachment upon the Actual running away or absconding of Such Officer or private Person who shall find his Arms at his own proper Cost and Expence) and every Distress Seisure Execution or Process (except as aforesaid) made or Served upon Such Arms Shall be deemed to be void and the Person Serving or Executing the Same liable to the Suit of the Party Aggrieved wherein treble Damages and Costs shall be recovered and moreover Such Arms shall be Seized by the Order of the Commanding Officer of the Person to whom such Arms Shall belong for the Use of the Owner or Proprieter thereof.

And be it Enacted by the Authority aforesaid that it Shall and may be lawful for the Colonel or Commanding Officer aforesaid upon Notice or Information that any Person who shall receive Arms upon his Receipt only without paying or Securing to be paid as aforesaid the first Cost thereof hath Sold or otherwise disposed thereof to Seise or Order Such Arms to be Seised whether in or out of the County and the Person who shall receive Such Arms upon Such Sale or Disposition Shall forfeit and pay the Sum of Ten Pounds Current Money and the Person Selling or disposing thereof shall forfeit and pay the like Sum of Ten Pounds Current Money.

p. 303 And be it also Enacted by the Authority aforesaid that if any Person to whom Arms Shall be delivered as aforesaid on his Receipt only without his paying or Securing to be paid the first Cost thereof as aforesaid Shall abscond and carry away his Said Arms Such Person shall forfeit and pay the Sum of Five Pounds Current Money. And be it Enacted by the Authority aforesaid that all and every the Officers and private Men (being inlisted as aforesaid) of the Militia of this Province Shall form into Regiments Troops or Companys as the Governor or Commander in Chief for the Time being shall order and appoint under the Penalty of Forty Shillings Current Money upon each Person who shall refuse or Neglect to do the Same in pursuance of Such Order or Appointment and the same Penalty for every Thirty days Neglect thereafter. Provided always that the Troops of Horse in Each County Shall not exceed the Number of two or consist of more than thirty Six Troopers each (excluding Officers) And that no person shall be compellable to enter into any Troop of Horse who hath not a visible Estate of Five hundred Pounds Current Money to be adjudged in Case of Dispute by a Majority of the ffield Officers of the County.

And be it Enacted by the Authority aforesaid that as much Gunpowder and lead as can conveniently be spared Shall be taken out of the Publick Magazine and transmitted in due proportions and as the Same may be needed first to the Colonels and Commanding Officers of the Frontier Counties of this Province then to the Colonels and Commanding Officers of the other Counties respectively to be distributed by them in just and equal Proportions to and among the Persons under their Command so as that no more than one pound of Gun powder and three pounds of Lead be delivered to any one Person and in Case that after such Distribution any Surplus shall remain the Said Colonels or Commanding Officers are hereby required to retain and keep the Same in their Possession to be disposed of as herein after directed And be it further Enacted that if any private Man of the Militia of this Province shall in the Course of his Duty by the Command of his Superiour Officer expend any part of the Quantity of Powder and Lead by this Act directed to be brought by every Person to the Place of Muster it Shall and may be lawful for such Superiour Officer and he is hereby required to deliver to such Person a certificate of the Number of Charges so expended directed to the Colonels and Commanding Officers of the County in which Such Person resides and such Colonels and Commanding Officers or any of them in whose hands any Surplus shall be as aforesaid shall immediately on such Certificates being produced deliver to Such Person the Quantity of Gunpowder and Lead therein Mentioned. Provided always that no Gunpowder shall at any Time be expended in training unless by the Order and Direction of the Colonel or Commanding Officer of the County.

L. H. J.
Liber No. 48
May 22

And be it further Enacted by the Authority aforesaid that in Forty days after the Publication of this Act the Several Companies in each Regiment and the Troop of Horse shall meet at Such Place or Places in their respective Counties as Shall be appointed by the Colonels or Commanding Officers of the Said Counties to be then and there formed into Regiments Troops or Companys in Such Manner and under Such Officers as the Governor or Commander in Chief for the Time being Shall Order appoint or direct and every Troop and Company Shall thereafter be exercised and trained by their respective Captains or Next Commanding Officer once in every Thirty days or oftner if directed by the Colonel or Commanding Officer of the County except between the fifth day of November and the tenth of February during which Time they shall be exercised and trained at such times only as the Said Colonel or Commanding Officer shall appoint and direct and every Person of the Militia (inlisted as aforesaid) who shall fail to attend at the Place to be appointed as aforesaid for the Purpose aforesaid Shall forfeit and pay the Sum of Five Pounds Current Money and shall nevertheless be trained and exercised in the Company or Troop to which he shall

L. H. J. be nominated or appointed in the Same Manner and under the same
 Liber No. 48 Penalties as if he were personally present at such Nomination or
 May 22 appointment
 p. 304

And be it further Enacted by the Authority aforesaid that Once in Six Months from and after the Publication of this Act if command be given for that purpose by the Governor or Commander in Chief for the Time being and command be given by the Colonels or Commanding Officers of the Respective Counties the Several Companies in each Regiment and the Troops of Horse and foot Companies shall meet at such Place or Places in their respective Counties as shall be appointed to be there trained and exercised by the Field Officers of their respective Countys And be it Enacted by the Authority aforesaid that every Person to be inlisted as aforesaid and provided with proper and Suitable Arms to be determined by his Commanding Officer and to whom his proportion of Gunpowder and Lead Shall be delivered as aforesaid shall appear at Muster when duly warned so to do with his Arms in good Order and nine Charges of Gun-powder and nine Sizeable Bullets under the Penalty of Ten Shillings for every Neglect or Omission thereof And be it also Enacted by the authority aforesaid that every Person inlisted as aforesaid and to whom Powder and Lead shall have been delivered as aforesaid Shall at all Times after Such Delivery have at his Habitation or place of abode one pound of good Gun-powder and three pound of Sizeable Bullets or such Quantities as were delivered to him under the Penalty of Twenty Shillings Current Money for Neglecting to have the Same and also the further Penalty of Five Shillings Current Money Week thereafter that Such Person shall neglect to have the Same and if any Such Person shall on demand at any Time between Sun Rise and Sun Set neglect or wilfully refuse to show his Captain or other Person Sent by him his Arms and Ammunition aforesaid the Person so neglecting or refusing shall be deemed to be unprovided therewith and Shall forfeit accordingly.

And be it Enacted by the Authority aforesaid that every Trooper whilst on Duty Shall be provided with a good Serviceable Horse with a good Saddle a pair of good Pistols a good Sword or Hanger half a pound of Gun-powder and twelve Sizeable Bullets and a Carbine well fixed with a good Belt Swivel and Buckett [sic] under the Penalty of forty Shillings Current Money for his wilfull neglect thereof And be it Enacted by the Authority aforesaid that the Colonel or Commanding Officer who shall fail or omit to order out and Muster the Militia as by this Act is directed shall forfeit the Sum of Twenty Pounds Current Money and every other Officer who shall fail or omit to do his duty at any training or Muster by this Act directed shall forfeit the Sum of Five Pounds Current Money

And be it further Enacted by the Authority aforesaid that the Clerk or some other Officer of every Troop or Company shall by Order of the Captain or Commanding Officer of Such Company that Shall be present on every Muster day as soon as such Troop or Company Shall be drawn up and before they proceed to exercise read distinctly and with an audible Voice at the head of Such Troop or Company the Several Clauses in this Act relative to the Duty of every private Man of the Militia whilst under Arms or in exercise or on the Days of training or in Actual Service under Penalty of the Sum of Five Pounds Current Money to every Captain or Commanding Officer who shall not give Such Order And fforty Shillings Current Money to the Clerk or other Officer who shall not immediately obey the Same

L. H. J.
Liber No. 48
May 22

And be it Enacted by the Authority aforesaid that no private Person of the Militia inlisted as aforesaid being thereunto appointed by his Captain shall refuse or neglect to Serve as a Serjeant or Corporal under the Penalty of fforty Shillings Current Money and in Case any Serjeant or Corporal shall refuse or neglect to warn the People to Appear under Arms when Ordered so to do by his proper Officer he shall forfeit for every Such Neglect or Refusal the Sum of Forty Shillings Current Money. And be it Enacted by the Authority aforesaid that no Commissioned or non Commissioned Officer in the Foot or Horse Shall be Subject or liable to Serve in the Office of Constable any Law usage or Custom to the Contrary notwithstanding And be it Enacted by the Authority aforesaid that no Person Officer or Private Man of the Militia Shall be Subject to any arrest Either Mesne Process or on Execution or in any other manner for any civil Matter in his Attendance at going to or returning from Muster or whilst employed in any Duty or Service by this Act directed or required And be it Enacted by the Authority aforesaid that all Persons belonging to the Militia Shall at Muster and whilst on Duty execute and perform all their proper Services and Obey the just Orders of their Respective Officers on pain of forfeiting not exceeding the Sum of Forty Shillings Current Money for every Neglect or Omission or being put under arrest according to the Quality of the Offender or nature of his Offence. And be it further Enacted by the Authority aforesaid that if any Officer or private Man of the Militia shall at any Time whilst under Arms or upon Duty abuse or take Revenge or Endeavour to take revenge for any Matter or thing done by his Commanding Officer in Pursuance of his Duty by Virtue of this Act such Officer Shall forfeit and pay not exceednig five pounds Current Money and every private Person shall forfeit and pay not exceeding the Sum of forty Shillings Current Money and be compelled under pain of Three days Imprisonment to acknowledge his Offence at the Head of the Company Troop or Regiment to which he Shall belong And be it Enacted

p. 305

L. H. J.
Liber No. 48
May 22

by the Authority aforesaid that any Person of the Militia who shall get drunk on any Muster-day before or at Muster shall forfeit the Sum of Ten Shillings Current Money and any Person who shall presume to vend Sell or Dispose of any Strong Liquor at any Place of training or at any other Place within Five Miles of any Place of training to any Person belonging to the Militia on any Muster day except between the Time of Discharge from such Training for that day and the Sun sitting thereof Such Person so vending selling or disposing of Such Strong Liquors Shall forfeit and pay the Sum of Five Pounds Current Money And no Person other than a licenced Ordinary Keeper shall vend Sell or dispose of any Strong Liquors to any Person whatever at such Time and Place aforesaid even between the Hours aforesaid under the Penalty of Five Pounds Current Money for every Such Offence and it Shall and may be lawfull for the Commanding Officer of the Party at such Muster and he is hereby directed and required to order the Strong Liquors of the Person so offending to be Siezed and Destroyed Provided always that nothing herein contained shall be construed to extend to any Merchant or licenced Ordinary-Keeper who shall vend Sell or Dispose of any Strong Liquors in his or her House the same not being to any Person of the Militia or any for the Use of Such Person And Be it further Enacted by the Authority aforesaid That every Papist above the Age of fourteen Years or any other Person refusing to take the Oaths appointed by Law to be taken to the Government which the Commanding Officer present shall administer and repeat the Test and Subscribe the same and the Oath of abjuration who shall be found at any Place and of Training or within View thereof, during the Time of Exercise Shall forfeit and pay Fifty Shillings Current Money and Shall by any Commission Officer then present be ordered to Depart and in Case such Papist or other Person shall not immediately on such Order depart out of View of such Place or after departing shall return again that day he shall forfeit and pay the further Sum of Five Pounds Current Money and be committed by a Magistrate and in Case no Magistrate Shall be present by the Commanding Officer present to the Custody of the Sheriff there to remain untill he shall give Sufficient Security for his good Behaviour for three Months and that he shall not be found at or within View of any Place of Training in the Time of Exercise till the Expiration of the Time aforesaid and if any Negroe or Mullatto Slave, except the Necessary Attendants of any Person who Shall be there and except any Slave who shall be found working on his Masters Plantation or passing by upon Some lawful Occasion Shall be found at any Place and day of Training or within View thereof after the hour appointed for meeting the Commanding Officer present shall order such Negroe or Mullatto Slave to be whipped on his or her bare Back untill the Blood Shall appear with

any Number of Stripes not exceeding thirty nine and if Such Slave Shall be again found at any time and Place of Training as aforesaid he or she Shall be whipped as aforesaid every Such time by order of the Commanding Officer who shall be present with any Number of Stripes not exceeding Forty nine. And Be it further Enacted by the Authority aforesaid That if any of the late Inhabitants of Nova Scotia commonly called French Neutrals shall be found at any day and Place of training or within View thereof they Shall be Immediately Order by the Commanding Officer present to depart and if they Shall not without delay comply with Such Order the said Commanding Officer is hereby required to Order such person to be put under Arrest and carried away and detained out of View of the Said Place of Training untill Sun Set that day And Be it further Enacted that every Commission Officer who Shall know of any Papist or any other Person who hath refused to take the Oaths afores.^d and repeat the Test and Subscribe the Same and the Oath of Abjuration as afores.^d or any late Inhabitant of Nova Scotia or French Neutral or Negro or Mullatto Slave being at any day and place of training as aforesaid and Shall not behave to Order and direct about them respectively as in and by the three last preceding Clauses of this Act is directed Such Commission Officer shall forfeit and pay if above the Degree of a Captain Twenty Pounds Current Money, and if a Captain or below that Degree Five Pounds current money. And Be it further Enacted by the Authority aforesaid that all Doubts or Disputes of or concerning Precedence or Rank shall be Settled and Determined by the Governor or Commander in Chief for the Time being or his Order or Appointment And be it Enacted by the Authority aforesaid that in Case of Alarm every Person belonging to the Militia of this Province upon Notice thereof in any Manner shall immediately repair with with his proper Arms or the best he has and with Nine Charges of Gun-powder and nine Sizeable Bulletts at the least to his Colours or Parade under the Penalty of Five pounds Current Money upon every private Man who shall Neglect the Same which Parade shall be understood to be the Habitation of his Captain or Comanding Officer unless it Shall be otherwise ordered or appointed

And Be it further Enacted by the Authority aforesaid that in Case of any Alarm Invasion Rebellion or Insurrection all Officers of the Militia Shall have full Power and Authority in their respective Stations and they are hereby enjoined required directed and Commanded forthwith to raise the Militia under their Command and to dispatch immediate Intelligence to their Commanding Officers informing them in what Manner they intend to Act or proceed and the Said Commanding Officers are hereby required and Commanded to Send forward the Said Intelligence to the Commanding Officers

L. H. J.
Liber No. 48
May 22

p. 307

L. H. J.
 Liber No. 48
 May 22

of the Next adjacent Counties And the Officers aforesaid Shall in the mean time keep the Militia under their Command under Arms and every Commanding Officer of a County upon any Alarm or receiving Intelligence of any Invasion Rebellion or Insurrection Shall forthwith Dispatch an Express to the Governor or Commander in Chief for the Time being with a full Account thereof and shall therewith Signify how and in what manner he intend to Act or proceed and the Commanding Officer of every County with the Consent and Approbation of the Governor or Commander in Chief for the time being hath hereby full Power and Authority in the Time of actual Invasion Insurrection or Rebellion to impress Boats and Hands Horses Arms and Ammunition as the Service may require and shall draw together the Militia of the County and March them in Such place and places within this Province, as he Shall judge most Convenient for opposing the Enemy, or quelling or Suppressing any Rebellion, or Insurrection, and to Such Place and Places, within this Province, as shall be appointed or directed by the Governor or Commander in Chief, for the Time being And, every Field Officer who shall wilfully Neglect or refuse to perform his Duty herein required in the Time of Actual Invasion, Insurrection, or Rebellion, Shall forfeit the Sum of Two hundred pounds Current Money; and every Captain and other Commissioned Officer, for his neglect or Refusal to perform his Duty at such Time as aforesaid, Shall forfeit the Sum of One Hundred pounds Current Money, and every non-commissioned Officer and private Man of the Militia for his Neglect or Refusal to perform his Duty at such time as aforesaid, Shall forfeit the Sum of Ten Pounds Current Money. And be it further Enacted by the Authority aforesaid, That the respective Captains, and in Default of them, the Next Commanding Officers of the several and respective Companies, within the Counties nearest to any Place invaded, or where any Rebellion or Insurrection Shall happen, shall call together and Assemble their Companies, and forthwith March them, and Use their utmost Endeavours to oppose and drive off the Enemy, or quell or Suppress Such Rebellion, or Insurrection, If they Shall judge their Force to be Sufficient for that Purpose; nevertheless, the Said Captains or Commanding Officers, as aforesaid, Shall dispatch Such Express as aforesaid.

And Be it Enacted by the Authority aforesaid, That within Twenty Days after the Publication of this Act, every Master or Owner of every Indian, Negro Mullatto or other Slave, above the Age of Sixteen Years shall deliver or cause to be delivered, to the Captains of the Companies in the respective Distrects wherein they Shall reside, a true List of all Such Slaves belonging to them, on pain of forfeiting the Sum of Twenty Shillings Current Money for Neglect thereof; from which List every Captain shall make three compleat

Lists of the whole Number of Slaves returned to him, distinguishing therein the Sexes, Names, and numbers of the Slaves, belonging to Each Person, and Shall forthwith transmit one List to the Governor or Commander in Chief, for the Time being, one other List to the Colonel or Commanding Officer of the County, and retain the other List in his own Possession, under the Penalty of Five pounds Current Money in Case of Neglect or Refusal: and in Case of any Alarm, Invasion, Rebellion, or Insurrection, shall (if necessary) unless it shall be otherwise provided by his Commanding Officer appoint and leave a Detachment from his Company, to keep Guard in and preserve the Peace of his District.

L. H. J.
Liber No. 48
May 22

And be it Enacted by the Authority aforesaid, That if any Negro, Indian, Mullatto, or other Slave, above the Age of Sixteen Years, Shall in the Time of actual Invasion, Rebellion or Insurrection, be found at the Distance of Two Miles or more from his or her Habitation or the Plantation to which Such Slave Shall belong without the leave or licence of his or her Owner or Overseer Such Slave, Shall be adjudged to be punished by whipping with any any Number of Stripes not exceeding thirty nine; on the bare back, by any Magistrate before whom Such Slave shall be carried manner aforesaid to arrest and take up such Slave in Order to his or her Examination and in Case Such Slave shall oppose or endeavour to escape from the Person having Such power as aforesaid to arrest Such Slave as aforesaid it shall and may be lawfull for any Magistrate and he is hereby required to issue his warrant on Complaint to him made to apprehend such Slave and upon Such Slave being brought before him to cause Such Slave to be punished by whipping on the bare back with any Number of Stripes not exceeding thirty nine as by the Said Magistrate Shall be adjudged any Law Usage or Custom to the Contrary notwithstanding And be it Enacted by the Authority Aforesaid, that it shall and may be Lawfull for any Colonel or Commanding Officer of any Regiment, Troop, Company, or Detachment, in the Time of actual Service in the time of Invasion Insurrection or Rebellion by and with the Consent and Approbation of the Governor or Commander in Chief, for the Time being, to impress and take up, or by warrant under his Hand, to Order to be impressed and taken up, necessary Provision, Sloops, Boats, or other Vessels, for the Transportation of the Militia over Rivers or Creeks or the main Bay of Chesapeak, within this Province; together with the Rigging, Tackle, Furniture, and Apparel, belonging thereunto, and also Carts, Waggon, Draught-Horses, and Oxen, and other Conveniences for the Land-Carriage of Provision, Arms, and Ammunition, from Place to place, within this Province; and Likewise any manner of Tools, Utensils, or Instruments, which Shall or may be wanted, and also to impress or take up, or order to be impressed or taken as aforesaid, fit and able persons to go in Sloops,

p. 308

L. H. J.
Liber No. 48
May 22

Boats, and other Vessels, aforesaid; and also Labourers, pioneers, and Artificers, who shall be thought usefull in the Service. Provided always, that it Shall not be lawfull to take up or impress all or any of the Articles afores.^d without giving a Receipt for the Same, expressing therein the use or Service for which the Same Shall be impressed, or taken up, and a Certificate for what use or Service Such Labourers, Pioneers, or Artificers, shall be impressed, on pain of being Liable to the Action of the Party Aggrieved.

And be it Enacted by the Authority aforesaid, that no Officer of the Militia of this Province, Shall Surrender or resign any Commission which hereafter may be Granted, unless his Surrender or Resignation on Account of Sickness, or other Incapacity, Shall be accepted by the Governor or Commander in Chief, for the Time being or shall refuse or neglect to Qualify himself to act under this Law, on pain of being inlisted as a Private Man, and as such liable to the like Services and Penalties; and all Commissions granted to any Persons, which do or shall not confine them to any Corps in the County or Place wherein they shall reside, Shall be and are hereby declared to be null and Void, and no Officer Shall hereafter presume to act as Such, unless he hath or shall, before any Act done by him, as an Officer, take the Oaths to the Government as before directed, and Subscribe the Oath of Abjuration and repeat and Subscribe the Test, on pain of forfeiting the Sum of One hundred Pounds Current Money.

And be it Enacted by the Authority aforesaid that all Officers and private Men of the Militia after they Shall be deemed to be provided with proper and Suitable Arms Shall as often as directed by the Colonel or Commanding Officer of the County in their Attendance at Devine Service at their Parish Churches or Chapels bring with them their proper Arms in good Order with the same Quantity of Ammunition as is required at Muster by this Act under the Penalty of Ten shillings Current Money for their failure or neglect thereof.

And be it further Enacted by the Authority aforesaid, that in Case a Detachment only shall be Ordered by the Governor or Commander in Chief from the Militia of any County, to act within this Province, in Conjunction with a Detachment from the Militia of another County, Such Detachment shall consist of the Persons whose names shall be inserted in the Roll, to be returned as aforesaid to the Clerk of the County Court; and the Persons to serve on Such Detachment, shall Serve in the Order in which their Names shall be set down or inserted in Such Roll Successively, and be subject to the Command of Such Officer or Officers as Shall, on Such Service be appointed for that Purpose by the Governor or Commander in Chief for the Time being which Said Commanding Officer shall be of the Militia of this Province and the Colonel or Commanding Officer of the Regiment, Company, or Troop, to which the Persons liable to

L. H. J.
Liber No. 48
May 22

serve on such Detachment as aforesaid shall belong, are hereby authorized and required to impress and take up, or order to be impressed and taken up, proper and Suitable Arms for the Use of the Persons to Serve on Such Detachment; and all and every Person and Persons liable to serve on such Detachment, to be ordered as aforesaid, who shall neglect or refuse so to do, or to find an able Sufficient and well Armed Man to Serve in his Place or stead shall forfeit and pay the sum of Twenty pounds Current Money for every Neglect or Refusal.

And Whereas upon certain Emergencies in time of Invasion Insurrection or Rebellion it may be necessary to keep Military Watch and Ward: Be it therefore Enacted by the Authority aforesaid that upon the Order or Direction of the Governor or Commander in Chief for the time being for the keeping of Military Watch and Ward every Person of the Militia of this Province Inlisted as aforesaid who shall be warned by his Commanding Officer, or by his Order under his hand, upon Such Service, Shall Serve on Such Watch, or find a Sufficient and well armed Man in his Room, under the Penalty of Five Pounds Current Money for every Neglect or Refusal; and Commissioned Officers who shall be directed by their Commanding Officer, shall keep such Watch in Person under the Penalty of Ten Pounds Current for every Default or Neglect thereof; but Captains shall not be obliged to Serve in Such Military Watch, unless the Said Watch Shall consist of a Captains Guard, and upon all Sudden Emergencies in time of Invasion, Insurrection, or Rebellion, upon which a Military Watch may be immediately necessary, the Same may be appointed by each Captain, and the Captain appointing the Same shall Send immediate Intelligence thereof to his Commanding Officer and of the Reasons why he appointed Such Watch and the Said Commanding Officer is hereby directed to dispatch immediate Intelligence thereof to the Governor or Commander in Chief for the time being unless upon Enquiry he shall think Such Watch to be unnecessary in which Case Such Commanding Officer Shall and may direct the Same to cease, And Defaulters in this Case Shall be liable to the Same Penalties as in the Case of a Military Watch established by Order of the Governor or Commander in Chief.

And Be it further Enacted by the Authority aforesaid that any Centry upon Guard, who shall Challenge any Person or Persons three times distinctly, and the Person or Persons so Challenged, shall refuse to give an Account of him or themselves, may lawfully fire upon Such Person or Persons so Challenged, without being Impeached on Prosecuted for the Same any Law, Custom or Usage, to the Contrary Notwithstanding.

And Be it Enacted by the Authority aforesaid That in Case any Person, who Shall Serve upon Such Military Watch as aforesaid,

L. H. J. shall leave his Post or station, or shall demean himself in a Turbulent or disorderly manner, or shall not obey the just Orders of his
 Liber No. 48 May 22 Commanding Officer, it Shall and may be Lawful for the Officer
 p. 310 Commanding on such Watch, to put Such Person under Arrest, over and above the Penalty abovementioned; for any time; not exceeding the Space of Three Days.

And Be it further Enacted by the Authority aforesaid, that during the time any Persons of the Militia Shall be in Actual Service, within this Province, or shall keep Military Watch as aforesaid, they shall be supported and Paid in Manner following, to wit, To every Major General Twenty Shillings per day, To every Chief Colonel of Foot Seventeen Shillings and Six pence per Day, To every Lieutenant Colonel of Foot fifteen Shillings per Day: To every Major of Foot fourteen Shillings per Day: To every Captain of Foot twelve Shillings and Six pence per Day: To every Lieutenant of Foot Six Shillings and eight pence per Day: To every Ensign five Shillings per Day. To every Serjeant two Shillings per Day: To every Corporal of Foot One Shilling and eight pence per Day: To every Drummer of Foot One Shilling and eight pence per Day: To each private Soldier one shilling and Six pence per Day: To a Surgeon Eight Shillings and Six Pence per Day, and Medicines to be found: To a press Master four Shillings per Day: To every Colonel of Horse nineteen Shillings per Day; every Lieutenant Colonel of Horse eighteen Shillings per Day: a Major of Horse Sixteen Shillings per Day: a Captain of Horse fourteen Shillings per Day: a Lieutenant of Horse Seven Shillings and Six Pence per Day a Cornet Six Shillings per Day: a Quarter Master five Shillings per Day: a Corporal two Shillings and Six Pence per Day: a Trumpeter two Shillings and Six Pence per Day: a private Trooper two Shillings per Day.

Provided, that if they shall be Discharged again in two days no Pay shall be Allowed.

And Be it Enacted by the Authority aforesaid that the Provisions and all and every the Matters, Articles, and things, which shall be taken up and Impressed by Virtue of this Act, and the Pay aforesaid of the Militia, shall be paid for, discharged and defrayed by the Money which Shall or may Arise, or Accrue in Virtue of or by the Execution of this Act; and in Case that after the Application of Such Monies to the Purposes aforesaid there shall happen or be any Deficiency, the Same shall be Provided for by the Consent of the Freemen of this Province by their representatives in general Assembly.

And Whereas in the time of Actual Service in the time of invasion Rebellion or Insurrection it is necessary that the Officers and Private Men of the Militia of this Province be held to a more Strict

Discipline than at other times might be Expedient. Be it therefore Enacted by the Authority aforesaid That if any Officer or Private Man of the Militia of this Province, in the Time of Actual Service within this Province in the time of Invasion, Rebellion, or Insurrection shall wittingly and willingly excite Cause or Join in any Mutiny or Sedition in any Company Troop Regiment Party Guard or Detachment of the Militia of this Province or shall shamefully leave desert or fly from his Station or Post without the Order or Direction of his Proper Officer or other good Sufficient reasonable Cause, or shall wittingly hold Correspondance with any Rebel or Enemy or give any Rebel or Enemy Advice or Intelligence by Letter, Message, Signs or Tokens in any manner or way whatsoever, the Person or Persons so Offending being thereof Convicted in due form of Law shall and are hereby declared felons and shall Suffer Death as in Cases of felony without Bennefit of Clergy.

L. H. J.
Liber No. 48
May 22

And Be it further Enacted that if any Person in the Time aforesaid Shall Strike or Use any Violence to his Superior Officer or shall wilfully refuse to obey his Just Order, Such Person So Offending shall Suffer Such Punishment by fine or Imprisonment (the Said fine not to exceed the Sum of five Pounds Current Money and such Imprisonment not to exceed the Space of Seven Days) as shall be Adjudged by a Court Martial for that purpose to be constituted and appointed by the Commission of the Governor or Commander in Chief for the time being under the Seal of this Province out of the County wherein the Offender shall reside not under the Degree of a Captain, the Said Court Martial to consist of the Number of twelve and no more besides the President, and Such Court shall have full Power and Authority to Administer an Oath to every Witness to Discover the Truth in order to the Examination and Tryal of any of the Offences determinable before such Court, and the Sentance of the Majority of the Members of Such Court shall be Immediately Executed, Provided always, that in all Tryals to be had before any Court Martial to be appointed and held as aforesaid in Virtue of this Act, every Judge before any Proceedings shall be had, shall take the following Oath to wit, I do swear that I will well and truly Try and Determine according to Evidence on the Subject of my Present Enquiry to the best of my knowledge and Judgment according to the Intent and Meaning of an Act of Assembly of the Province of Maryland Entituled an Act for Regulating the Militia of the Province of Maryland, without Partiality Malice Favour or Affection and that I will not at any time, upon any Account whatsoever disclose or discover [my] own Vote or Opinion or the Vote or opinion of any Other member of this Court Martial unless required to give Evidence thereof as a Witness by a Court of Justice in a due Course of Law so help me God Provide also, that no Officer or Private Person aforesaid being once Acquitted by a

p. 311

L. H. J. Court Martial for any Offence under this Act, Shall be liable to be
 Liber No. 48 Tried a Second time for the same Offence.
 May 22

And Be it Enacted by the Authority aforesaid, That it shall and may be lawful for the Commanding Officer of any Person Guilty of the Offence aforesaid to Commit Such Person and have him Safe kept, so as that he may be brought to his Trial for any of the said Offences. And Be it Enacted by the Authority aforesaid, That if it shall happen that any Trooper's Horse shall be killed by an Enemy in Actual Service, then the Said Trooper to be Paid for the Said Horse by the Publick. Provided always that nothing in this Act Contained, shall oblige or Compell any of the People Called Quakers or any of the Congregation called, Unitas Fratrum, or United Bretheren who from Religious or Conscientious Scruples are averse to the Bearing of Arms and Performing Military Service to Inlist or do Duty in the Militia of this Province; And provdied also and be it further Enacted that no thing in this Act contained shall be construed to extend to any Member of the Upper or Lower Houses of Assembly Except such as shall take Military Commissions under this Act to any Person in Holy Orders and Provided also, that any Number of the Upper or Lower House of Assembly Taking a Military Commission as aforesaid, the Clerks and other Officers of the Upper and Lower Houses of Assembly shall be Exempt from all Duties and Services during the Sitting of the Assembly.

And Provided also that nothing in this Act contained shall extend to the Justices of the Provincial or County Courts Attorneys at Law, Sheriffs or other Ministers and Officers belonging to any of the Said Court during the time that Such Courts shall Sit, And Provided also that nothing in this Act contained shall extend to Goalers, Ferrymen, Millers, Mariners, Watermen, usually employed in any Craft, Persons employed in Furnaces or Iron Works, Physicians, Surgeons, and Apothecaries, Except in time of actual Invasion, Rebellion, or Insurrection, when all and every the Said Persons in this Clause mentioned, being of the Militia, Goalers and Ferrymen Excepted, shall be liable to the Same Duty and Service as if this Proviso
 p. 312 had not been herein inserted except Such Physicians, Surgeons, and Apothecaries, who in Ten Days after the Publication of this Act, Shall give in their Names in writing to the Colonel or Commanding Officers of the Counties, wherein they shall reside, and engage to attend in their Profession with Proper Medicines and Instruments, upon any part of the Militia whilst in actual Service as they shall be directed by the Said Colonels or Commanding Officers; and Such Physicians, Surgeons, and Apothecaries, who shall engage as aforesaid shall be and are hereby exempted from all Service in the Militia whatsoever, But in Case any Physician Surgeon, or Apothecary, shall engage as aforesaid, and upon receiving the direction of the Colonel or Commanding Officer aforesaid, shall wilfully refuse

or neglect to do and perform his Duty, according to his Said Engagement, in Such Case Such Physician, Surgeon or Apothecaries, shall forfeit and pay the Sum of Twenty Pounds Current Money, and be liable thereafter to the Performance of all every Military Service and Duty whatsoever, any Law usage or Custom to the contrary notwithstanding.

L. H. J.
Liber No. 48
May 22

And Whereas all and every Person and Persons of the Militia of this Province are as aforesaid, not only liable to the Duties and Services required by this Act, but also if able to find, at their own proper Cost and Charge, Suitable Arms; and it would prove an unequal Tax if the Persons above exempted from the Services of the Militia, who are able Should be discharged also from the Burthen and Expende of finding Arms.

Be it therefore Enacted by the Authority aforesaid, that all and every the Persons, whose Real and Personal Estate is of the Value of forty Pounds Sterling, to be determined as aforesaid) before exempted from Services of the Militia, and all Men above the Age of Sixty Years of the Ability aforesaid, shall each of them find one good and Sufficient Firelock, with a Bayonet, and deliver the Same to the Colonel or Commanding Officer of the County wherein he shall reside, or pay to the Said Colonel or Commanding Officer the Sum of Three Pounds Current Money in lieu thereof, in Six Months after the Publication of this Act, on Pain that every Person aforesaid of such ability as aforesaid, who shall neglect or omit to find and deliver Such Arms as aforesaid, or pay Such Sum of Money as aforesaid in lieu thereof, Shall be Subject and liable to every Service and Duty of the Militia; any Proviso, Clause, or thing herein contained, or any Law, Custom, or Usage, to the Contrary, Notwithstanding.

And Be it further Enacted by the Authority aforesaid that the Arms which shall be delivered to the Colonels or Commanding Officers aforesaid in manner aforesaid shall be distributed among such Persons as shall need the Same, and not of the Ability aforesaid to Purchase his Arms. And be it Enacted by the Authority aforesaid that in Case the Several Fines, Penalties, and Forfeitures, in this Act mentioned and not triable or determinable before a Court Martial, as afores.^d Shall not be paid upon the Demand or Order of the Commanding Officer of the Person incurring the Same into the Hands of the Sheriff of the County wherein the Offender shall reside; and in Case any other Person, not of the Militia, shall incur any Fine, penalty, or Forfeiture, under this Act, and on Demand or Order of the Colonel Commanding Officer of the County wherein Such Person Shall reside, Shall omit to pay the Same into the Hands of the Sheriff as aforesaid, the Same Shall be recovered, and all Offences under this Act shall be Adjudged and levied in the Manner following, to wit, all Such Fines, Penalties, Offences, and

L. H. J.
Liber No. 48
May 22

p. 313

Forfeitures, as shall be incurred or committed by any Person of the Militia, under the Degree of a Commissioned Officer, shall be Adjudged and determined by the Captain or Commanding Officer of the Company or Troop to which Such Person Shall belong and two other the most discreet Persons belonging to the Said Company or Troop, or the Majority of them, which said two Persons shall be elected and Chosen by the Majority of each Company or Troop at the Next day of Training after such Company or Troop shall be formed and in Case of Default of Such Election or Choice, the Commissioned Officers of each Troop or Company shall constitute a Court, to try, ajudge and determine the Matters aforesaid: and in Case of such Choice or Election as aforesaid, and Vacancy by Death or otherwise of Such Persons, or either of them, to be chosen or Elected as aforesaid, Such Vacancy Shall be filled up and Supplied by a new Choice or Election as aforesaid; and in Case that the said Persons, or either of them, to be elected as aforesaid, shall be charged with or accused of any Matter or Thing incurring a Fine, Penalty or Forfeiture under this Act, then and in Such Case the Place of Such person or persons pro hâc Vice shall be Supplied by one or Two Commissioned Officers of the Same Troop or Company, as the Case may require, The Said Commissioned Officers, to be appointed by the Captain of the Troop or Company, And in Case the Commissioned Officer, under the Rank of a Colonel or Commanding Officer of a County, Shall in any Matter, not triable before such Court Martial, to be appointed by the Governor or Commander in Chief for the time as aforesaid, offend against this Act, Such Officer shall be tried by the Appointment of the Colonel or Commanding Officer of the County wherein Such Offender shall reside, before a Court Martial to consist of five, or three at the least, of the Commissioned Officers of the Said County who shall determine by the Majority of the Voices of such Court, and in Case any Colonel or Commanding Officer of a county shall be Charged with or accused of any Offence against this Act, then and in Such Case the Colonel or Commanding Officer, and Two Field Officers of the Next Adjacent County or Counties to be appointed by the Governor or Commander in Chief, or the Major part of them, shall adjudge and Determine Such Offense.

And be it further Enacted by the Authority aforesaid, that no Person whatsoever shall behave in a disorderly or turbulent Manner, or use any Menacing Words, Signs or Gestures in the Presence of any Court, Appointed by this Act, during the Sitting of Such Court, or in any Manner disturb the Proceedings of any Such Court, on pain of Imprisonment, by Order or Sentence of Such Court, not exceeding Three days and if any Commissioned Officer shall be convicted of having behaved in any Manner unbecoming the Character of an Officer, tho his Offence be not Specified in this Act,

Such Commissioned Officer may be degraded and compelled to Serve in the Militia as a Private Person.

L. H. J.
Liber No. 48
May 22

Provided always, that it Shall and may be lawfull for the Persons appointed by or in Pursuance of this Act, to adjudge or determine upon any Matter or thing whatsoever in this Act, to admit the reasonable Excuse of any person tryed before them, and thereupon to acquit Such Person by their Determination; any thing in this Act to the Contrary notwithstanding, and that before any Tryal, Adjudication or Determination of or upon any Matter or thing in this Act mentioned, all and every the Judges to be Appointed by or in Pursuance of this Act, Shall take the Oath above prescribed and directed to be taken by Such Persons as Shall be appointed to Constitute a Court Martial, in Virtue of a Commission for that Purpose from the Governor or Commander in Chief.

And be it Enacted by the Authority aforesaid that all Fines Penalties and Forfeitures aforesaid Shall be levied by the Sheriff of the County wherein the Offender shall dwell, upon the Warrant of the Persons appointed by, or in Pursuance of this Act, to Adjudge and Determine as aforesaid; and the Sheriff to whom such Warrant shall as aforesaid be directed, Shall make a Return of the Same to the Said Persons, by delivering them a Copy thereof, with an Indorsement Signed by the Sheriff, Signifying how and in what Manner he hath executed the Same: And the Said Sheriff is hereby directed to levy, by Distress and Sale of the Goods of the Offender, the Fine, Penalty or Forfeiture, mentioned in Such Warrant and also the Established by Law in Such Cases for Executing Such Warrant, and in Case no Goods of the Offender can be found, on which to levy the Fine, Penalty, a forfeiture aforesaid the Body of the Offender shall be taken and kept in Safe Custody, as in the Case of an Execution by Capias ad Satisfaciendum upon a Judgment in a Court of Law and in Case any Person not belonging to the Militia shall incur any Fine, Penalty, or Forfeiture under this Act then and in Such Case it shall and may be lawfull for any Single Magistrate in the County where the Offender shall reside upon Information or Complaint against such Offender to issue his Warrant to bring Such Offender before him and upon due Proof to give Judgment against Such Offender for the Penalty in this Act Mentioned and by Warrant to direct the Sheriff to levy the Same, in Manner aforesaid; and the said Sheriff in the execution of the Said Warrant Shall demean himself in the Same Manner as before is directed by this Act.

p. 314

And be it Enacted by the Authority aforesaid, that all and every the Sum and Sums of Money, which Shall be received, levied and raised in or by Virtue of this Act, shall be applied to the Support of the Militia of this Province, and the defraying the Charges and expences which the Services directed by this Act shall require and

L. H. J. the Sheriff of each County is hereby directed once in every Six
 Liber No. 48 Months or oftner if required to deliver an Account to the Governor
 May 22 or Commander in Chief for the Time being and another to the
 Treasurer of each respective Shore of this Province to whom the
 Said Sheriff shall pay all Such Sum and Sums of Money as he
 shall receive in Virtue of this Act and the Said Treasurers are hereby
 required and directed to pay to the Order of the Governor or Com-
 mander in Chief for the Purposes aforesaid from Time to Time Such
 Sum and Sums of Money as they shall receive as aforesaid and the
 Said Treasurers are hereby required and directed to lay an Account
 before the General Assembly of this Province every Session of the
 disposition of the said Money.

And be it Enacted by the Authority aforesaid, that all and every
 Sum and Sums of Money, which shall be received by any Officer of
 the Militia, in Virtue of this Act, Shall be forthwith paid Such
 Officer into the Hands of the Sheriff of the County wherein Such
 Offender shall reside; which Said Sheriff is hereby required and
 directed to render Accounts and Pay the Same to the Treasurers as
 before directed, which Said Treasurers are hereby required and
 directed to render Accounts and pay Such Money as before directed,
 and in Case any Officer who shall receive any Sum of Money as
 aforesaid shall depart this Life without Payment thereof into the
 Hands of the Sheriff as aforesaid the Executor or Administrator
 of Such Officer shall be liable to the Payment thereof before any
 other Debt whether on Judgment or otherwise any Law Usage or
 Custom notwithstanding. And every Officer who shall receive Money
 as aforesaid in Virtue of this Act, shall transmit an Account thereof,
 once in every Six Months, to the Governor or Commander in Chief
 for the Time being, and pay the Same as aforesaid, on pain of for-
 feiting double the Sum of Money by him Received on default of
 such Payment, and also of being degraded and compelled to Serve
 as a Private Man in the Militia of his County.

p. 315 And be it Enacted by the Authority aforesaid, that if any Sum
 or Sums of Money to be levied or raised in Virtue of this Act, shall
 be unapplied to the Uses and Purposes in this Act Mentioned and
 directed, Such Sum or Sums of Money so unapplied, shall be applied
 to such Uses and Purposes as shall be directed by the next General
 Assembly thereafter.

And be it Enacted by the Authority aforesaid; that the Office
 Bonds of all Sheriffs shall be deemed to be liable to make good all
 and every the Sum and Sums of Money, which they shall receive
 in Virtue of or by Direction of this Act. And be it Enacted by the
 authority aforesaid that if any Person or Persons, Shall be Sued
 or impleaded for any matter or thing lawfully done, or Commanded
 to be done, in the Execution or by Virtue of this Act, he or they
 shall or may plead the General Issue, and give this Act in Evidence

and if the Plaintiff shall discontinue his Action, or be non-suited, or a Verdict or Judgment shall pass against him he shall pay the Defendant Treble Costs,

L. H. J.
Liber No. 48
May 22

And be it Enacted, that if any Person shall be founded or disabled in any Military Service, in Virtue of this Act, so as to be incapable of Supporting himself, and shall produce a Certificate from his Commanding Officer of his good behaviour in Such Service to the Justices of the County Court, of the County where he last resided, he shall be Supported, during Such his disability at the Publick Charge of this Province.

And be it further Enacted by the Authority aforesaid that Jonas Green Printer to this Province shall and he is hereby Obligated and required within Twenty Days after the End of this present Session of Assembly to deliver to the Sheriff of Ann Arundel County to be by him conveyed in the Same Manner as Public Letters for his Lordships Service are Copies of this Act for the Sheriff and each representative and Field Officer within the several and respective Counties in this Province under the Penalty of Twenty Pounds Current Money to be recovered by Action of Debt Bill Plaint or Information wherein no Essoin Protection or Wager of Law or more than one Imparlance to be allowed one half of which Forfeiture to be paid to the Sheriff of the County where the Same Shall be incurred and by him paid to the Treasurer of the Wester Shore who shall pay the Same to the Order of Governor or Commander in Chief for the Purposes aforesaid the other half to the Informer or him her or them that will Sue for the Same. And be it also Enacted that the Several and respective Sheriffs within this Province shall within Five Days after their having respectively received the Copies of this Act, to them directed to be Sent by the Printer, deliver to every Delegate and Field Officer in their respective Counties one of the Said Copies of this Act, and one Copy thereof such Sheriffs respectively are to keep, and within Five Days the Same Act to Publish, in all the most Public Places in their Several and Respective Counties, to the End that the People in every County within this Province may be well informed thereof And in Case any Such Sheriff shall omit or neglect his Duty herein enjoined he shall forfeit and pay the Sum of Twenty Pounds Current Money one half thereof to the Informer or him her or them that will Sue for the Same the other Half to be paid to Coroners of the County where such Forfeiture shall happen by them to be paid to the Treasurer of the respective Shore where the Same Forfeitures Shall happen who shall pay the Same to the Order of the Governor or Commander in Chief for the Purposes aforesaid, To be recovered in any Court of Record within this Province by Action of Debt Bill Plaint or Information wherein no Essoin Protection or Wager of Law or more than one Imparlance to be allowed Provided Always

L. H. J. and be it further Enacted by the Authority aforesaid that nothing
 Liber No. 48 herein contained shall extend or be construed to extend to take away
 May 22 or prejudice any Right or Claim which the People of this Province
 p. 316 have or Ought to have to any Moneys heretofore or now levied
 by the Right Honourable the Lord Proprietary of this Province
 under Colour as they apprehend of an Act of Assembly made in
 the Year Seventeen hundred and four Entituled An Act for the
 Settlement of an Annual Revenue upon her Majesty's Governor
 within this Province.

And be it Enacted by the Authority aforesaid that all Laws
 heretofore made regulating or in any Manner relating to the Militia
 of this Province and every Matter Article or Clause in any Such
 Laws contained and all Military Commissions heretofore Granted
 under any former Law be and are hereby Utterly repealed and made
 Void.

And be it Enacted by the Authority aforesaid that this Act and
 all the Matters and Articles herein Contained shall continue in Force
 untill the Tenth February which Shall be in the Year of our Lord
 one Thousand Seven hundred and Fifty Seven and no Longer.

Richard Lee and William Goldsborough, Esquires, from the
 Upper House, acquaint M.^r Speaker, That the Governor requires
 the Members of the Lower House to attend him immediately in the
 Upper House.

M.^r Speaker left the Chair, and, with the other Members of the
 Lower House, went to the Upper House, and there presented to his
 Excellency the several Ingrossed Bills, viz.^t

[The list of bills is printed in the Upper House Journal, pages
 296-7.]

p. 317 All which his Excellency passed into Laws in the usual Manner;
 and made the following Speech:

Gentlemen of the Lower House of Assembly,

As you seemed to be persuaded at the Opening of this Session,
 that a well-armed and well-regulated Militia, would, at this Season,
 be our best Security, and were pleased to tell me, that a proper Law
 for that Purpose should be one great Object of your Deliberations,
 I confess I was a little surprized at your sending me such a Mes-
 sage as you did this Morning, before you have performed what you
 gave me such Room to hope and expect; however, as you have inti-
 mated, that by putting an End to this Session, I shall do a Thing
 not less agreeable to your Wishes, than I did in convening you, I
 will not press you to take that Affair into Consideration till your
 next Meeting, but shall content myself at present with recommend-
 ing it particularly to those Gentlemen of each House, that are Com-
 manders and Officers, to have the Militia in their respective Counties,
 duly Mustered and Exercised, agreeable to our present Laws, which

I shall, by Proclamation, order to be strictly put into Execution, till one more perfect and effectual can be made, for that Purpose. I hope the Provision that is now made for the Protection of the Inhabitants, will give them some Satisfaction; and though I could wish that a larger Share of the Forty Thousand Pounds, had been appropriated to the immediate Defence of the Frontiers; yet, I hope enough is done to revive the Spirits of the back Inhabitants, and encourage them as least to remain on their respective Plantations. And, Gentlemen, as you have, in the Supply-Bill, signified an earnest Desire to be convened again in the Winter, I propose to gratify you, unless such a Step should then appear unnecessary, or any extraordinary Occurrence oblige me to put the Country to the Expence of a Session before: In the mean Time, I desire you will, in your several Counties, exert yourselves as becomes worthy Members of the Community, and a Branch of the Legislature; and that by promoting Harmony among the People by your Conversation, and discouraging by your Influence such Practices as may tend to disquiet the Minds of your Constituents and to disturb the Public Tranquility, you will endeavour to convince all factious and malevolent Persons, that they cannot be more industrious in contriving Mischief, than we are vigilant and careful to render their wicked Designs abortive. Gentlemen of both Houses,

L. H. J.
Liber No. 48
May 22

p. 318

In Confidence that you will unanimously act this good Part, and by your Conduct, as private Gentlemen, endeavour to approve yourselves worthy of the Trust reposed in you, I heartily wish you all Happiness and Prosperity; and, agreeable to your Desire, I do, with the Advice of his Lordship's Council of State, Prorogue this Assembly to the First Monday in January next, to which Day you are to take Notice that you are prorogued accordingly.

So endeth this Session of Assembly, this 22d Day of May, in the Sixth Year of his Lordship's Dominion, Annoque Domini, 1756.

Test. M. Macnemara, Cl. Lo. Ho.

ACTS OF THE ASSEMBLY PASSED IN FEBRUARY-MAY 1756

Liber H. S. At a Session of Assembly begun and held at the City of Annapolis
No. 1 the Twenty third day of February in the 5.th Year of the Dominion
p. 203 of the Right Honourable Frederick Absolute Lord and Proprietary
of the Provinces of Maryland and Avalon Lord Baron of Baltimore
&c.^a Annoque Domini 1756 and ending the twenty second Day of
May following.

The following Laws were Enacted and assented to by his Excel-
lency Horatio Sharpe Esquire Governor.

No. 1 An Act reviving and continuing an Act entituled, An Act to prevent
the Exportation or carrying out of this Province, Ammunition,
Warlike Stores, or Provisions of any Kind, towards supplying the
French or their Allies.

[An Act re- by and with the Advice and Consent of his Lordship's Governor, and
vised and the Upper and Lower Houses of Assembly, and the Authority of
continued.] the same, That an Act of Assembly of this Province, entituled, An
Act to prevent the Exportation or carrying out of this Province, Am-
munition, Warlike Stores, or Provisions of any Kind, towards sup-
plying the French or their Allies, made at a Session of Assembly,
begun and held at the City of Annapolis, the Twenty-third Day of
June, One Thousand Seven Hundred and Fifty-five, be, and is hereby
revived and continued in full Force, until the first Day of March,
which shall be in the Year One Thousand Seven Hundred and
Fifty-seven.

28th Feby 1756
Read and assented to
by the Lower House of
assembly
Signed p Order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

28th Feby 1756
Read and assented to
by the Upper House of
Assembly
Signed p Order
JRoss Cl Up ho

The Great
Seal

No. 2 An Act for the Adjournment and Continuance of Talbot and Dor-
chester County Courts.

[Preamble.] Whereas some of the Justices of the said Counties, and also some
of the Attornies practising the Law in the said Courts, are Mem-
bers of the Assembly, and obliged to attend their Duty therein:

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Causes, Pleas, Process, and Proceedings, either Civil or Criminal, now depending in or returnable to the said County Court of Talbot, to be held the first Tuesday of March in this present Year, shall be, and are, by Virtue of this Act, adjourned and continued from the said first Tuesday of March, until the first Tuesday of June next, and shall be in the same Plight and Condition as they would be on the first Tuesday of March. And that all Causes, Pleas, Process, and Proceedings, either Civil or Criminal, now depending in or returnable to the said County Court of Dorchester, to be held the second Tuesday of March in this present Year, shall be, and are, by Virtue of this Act, adjourned and continued from the said second Tuesday of March, until the second Tuesday of June next, and shall be in the same Plight and Condition as they would be on the second Tuesday of March; any Law, Usage, or Custom, to the contrary, notwithstanding.

Liber H. S.
No. 1

p. 204

[Adjournment of Talbot and Dorchester March Courts to June.]

And whereas many Persons who are Plaintiffs in Actions now depending in the said Courts, and which would be determined at the said first and second Tuesdays of March, if the said Courts were to sit and proceed to Business, may be indigent and necessitous, and may greatly, if not wholly depend on the Sums of Money or Tobacco, for which they have commenced and prosecuted such Actions, for supplying their Necessities, Payment of their Debts, or carrying on the Business of their Professions.

Be it Enacted, That on all Judgments which shall be had and recovered at June Court next, in Actions which are continued by this Act, it shall and may be lawful, at any Time before the tenth Day of August next, to issue Executions, to satisfy the Debts, Damages, and Costs, therein mentioned which said Executions shall stand in the same Condition, and be equally available to the Person or Persons suing out of the same, as if the same had been sued out before the tenth Day of May; any Thing, in any of the Laws of this Province, for staying Execution after the tenth Day of May, yearly, to the contrary thereof, notwithstanding.

[Executions issued on Judgments had in June to be under the like Circumstances with those on Judgments in March.]

1.st March 1756
Read and assented to
by the Lower house of
Assembly
Signed p Order
M^{ac}Macnemara Cl lo ho

On behalf of the Right
Honble the Lord Pro-
prietary of this Province
I will this be a Law
Hor.^o Sharpe

1.st March 1756
Read and assented to
by the Upper house of
Assembly
Sign'd p Order
J^{os}Ross Cl Up ho

the Great
Seal

No. 3 An Act for the Adjournment and Continuance of Frederick County
 Liber H. S. Court.
 No. 1

[Preamble.] Whereas many of the Suitors and Witnesses, in Causes depending in Frederick County Court, cannot attend the said County Court, without leaving the Back-Inhabitants of the said County in a defenceless Situation :

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Causes and Pleas now depending in the said County Court, and which, by Adjournment of the said Court, are to be determined on the Monday next before the third Tuesday of March in this present Year, shall be, and are, by Virtue of this Act, continued from the Monday before the third Tuesday of March aforesaid, until the third Tuesday of June next, and that the said Causes and Pleas shall be then in the same Plight and Condition, as they would have been on the Monday before the third Tuesday of March aforesaid, any Law, Usage, or Custom, to the contrary, notwithstanding.

[All Causes, &c. either Civil or Criminal, depending in or returnable to March Court, adjourned to June Court.] And be it further Enacted, That all Causes, Pleas, Process, and Proceedings, either Civil or Criminal, now depending in, or returnable to, the County Court of the said County, to be held the third Tuesday of March this present Year, shall be, and are by Virtue of this Act, continued, from the third Tuesday of March aforesaid, until the third Tuesday in June next, and that all and every the said Causes, Pleas, Process, and Proceedings, shall be then in the same Plight and Condition, as they would have been on the third Tuesday of March aforesaid: any Law, Usage, or Custom, to the contrary, notwithstanding.

And whereas many Persons who are Plaintiffs in Actions now depending in the said Court, and which would be determined at the said third Tuesday of March, if the said Court was to sit and proceed to Business, may be indigent and necessitous, and may greatly, if not wholly depend on the Sums of Money or Tobacco, for which they have commenced and prosecuted such Actions, for supplying their Necessities, Payment of their Debts, or carrying on the Business of their Professions :

[Executions issued on Judgments had in June, to be under the like Circumstances with those on Judgments in March.] Be it Enacted, by and with the Authority, Advice, and Consent aforesaid, That on all Judgments which shall be had and recovered at June Court next, in Actions which are continued by this Act, it shall and may be lawful, at any Time before the tenth Day of August next, to issue Executions to satisfy the Debts, Damages, and Costs therein mentioned, which said Executions shall stand in the same Condition, and be equally available to the Person or Persons suing out the same, as if the same had been sued out before the tenth Day of May; any Thing in any of the Laws of this Province, for staying

Execution after the tenth Day of May, yearly, to the contrary thereof, notwithstanding. Liber H. S.
No. 1

1.st March 1756
Read and assented to
by the Lower House of
Assembly

Sign'd p Order
M Macnemara Cl lo ho

On behalf of the Right
Honble the Lord Pro-
prietary of this Province
I will this be a Law
Hor.^o Sharpe

the Great
Seal

1.st March 1756
Read and assented to
by the Upper House of
Assembly

Sign'd p Order
J Ross Cl Up ho

No. 4 An Act for the Adjournment and Continuance of Queen-Anne's County Court. p. 206

Whereas some of the Justices of the said County, and also some of the Attorneys practising the Law in the said Court, are Members of the Assembly, and obliged to attend their Duty therein. [Preamble.]

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Causes and Pleas now depending in the said County Court, and which, by Adjournment of the said Court, are to be determined on the Monday next, before the fourth Tuesday of March in this present Year, shall be, and are, by Virtue of this Act, continued from the Monday before the fourth Tuesday of March aforesaid, until the fourth Tuesday of June next; and that the said Causes and Pleas shall be then in the same Plight and Condition as they would have been on the Monday before the fourth Tuesday of March aforesaid; any Law, Usage, or Custom, to the contrary, notwithstanding. [Queen-Anne's County adjourned Court continued to June.]

And be it further Enacted, That all Causes, Pleas, Process, and Proceedings, either Civil or Criminal, now depending in, or returnable to the County Court of the said County, to be held the fourth Tuesday of March this present Year, shall be, and are, by Virtue of this Act, continued from the fourth Tuesday of March aforesaid, until the fourth Tuesday in June next; and that all and every the said Causes, Pleas, Process, and Proceedings, shall be then in the same Plight and Condition as they would have been on the fourth Tuesday of March aforesaid; any Law, Usage, or Custom, to the contrary, notwithstanding. [All causes, &c. either Civil or Criminal, depending in or returnable to March Court, adjourned to June Court.]

And whereas many Persons, who are Plaintiffs in Actions now depending in the said Court, and which would be determined at the said Monday before the fourth Tuesday of March aforesaid, and on the aforesaid fourth Tuesday of March, if the said Court was to sit and proceed to Business, may be indigent and necessitous, and may greatly, if not wholly depend on the Sums of Money or Tobacco, for which they have commenced and prosecuted such Actions, for

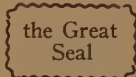
Liber H. S. supplying their Necessities, Payment of their Debts, or carrying on
No. 1 the Business of their Professions:

[Executions issued on Judgments had in June, to be under the like Circumstances with those on Judgments in March.] Be it Enacted, by and with the Authority, Advice, and Consent aforesaid, That on all Judgments which shall be had and recovered at June Court next, in Actions which are continued by this Act, it shall and may be lawful at any Time before the tenth Day of August next, to issue Executions to satisfy the Debts, Damages, and Costs, therein mentioned; which said Executions shall stand in the same Condition, and be equally available to the Person or Persons suing out the same, as if the same had been sued out before the tenth Day of May; any Thing in any of the Laws of this Province for staying Execution after the tenth Day of May yearly, to the contrary thereof, notwithstanding.

p. 207 22.^d March 1756
Read and assented to
by the Lower House of
assembly
Signed p Ord.^r
M Macnemara Cl lo ho

On behalf of the Right
Honble the Lord Propy
of this Province I will
this be a Law
Hor.^o Sharpe

22.^d March 1756
Read and assented to
by the Upper House of
Assembly
Sign'd p Order
J Ross Cl Up ho



No. 5 An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty Four Thousand and Fifteen Pounds Six Shillings thereof, in Bills of Credit, and raising a Fund for sinking the same.

[Preamble.] Whereas it is thought needful to raise large Supplies for his Majesty's Service, towards securing and protecting the Frontier of this Province, and engaging the Friendship and Assistance of the Southern Tribes of Indians, and for repelling and removing his Majesty's ambitious and perfidious Enemies from their unjust Encroachments on these his Dominions; we, the Representatives of the Freemen of the Province of Maryland, being desirous of demonstrating our unshaken Loyalty to our most gracious Sovereign, do pray that it may be enacted:

[4015 1. 6s. in Bills now signed in the Paper-Office to be circulated.] And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Commissioners or Trustees, for emitting Bills of Credit in this Province, for the Time being, shall, and they are hereby obliged and directed to emit, and make current, Four Thousand and Fifteen Pounds Six Shillings in Bills of Credit, which are now signed in the Loan-Office, and not yet circulated, and deliver the same out of the said Office, to the Person or Persons hereafter for that Purpose directed, for his Majesty's Service; which

said Bills of Credit shall pass current in all such Payments, and shall stand and be in the same State and Condition, and upon the same Foundation, to all Intents and Purposes, as the Bills of Credit emitted and made current, by Virtue of an Act of Assembly for emitting and making current Ninety Thousand Pounds Current Money in Bills of Credit within this Province, now do and are.

Liber H. S.
No. 1

p. 208

And be it further Enacted, That the Commissioners or Trustees for emitting Bills of Credit, for the Time being, shall, and are hereby obliged and directed to pay out of any other Bills of Credit already circulated, and now remaining in the said Office, or which shall next hereafter be re-paid or received into the said Office, the Sum of Five Thousand Nine Hundred and Eighty-four Pounds Fourteen Shillings, unto the Person or Persons hereafter for that Purpose directed.

[5984 l. 14s.
to be delivered out of
the Paper-Office.]

And for the more effectual answering the good Intentions of his Majesty's Subjects, the People of this Province, it is prayed that it may be Enacted,

And be it Enacted, by and with the Authority, Advice, and Consent aforesaid, That Bills of Credit, to the Value of Thirty Thousand Pounds Current Money of America, according to an Act of Parliament made in the sixth Year of the Reign of the late Queen Anne, for ascertaining the Rates of foreign Coins in the Plantations, shall be printed and struck with all convenient Speed, on good single Paper, under the Care and Directions of the Commissioners or Trustees for emitting Bills of Credit, for the Time being, in Manner and Form following: "This Indented Bill of shall pass Current for the Sum herein mentioned, in all Payments, according to the Directions of an Act of Assembly of Maryland. Dated in Annapolis the Day of Anno Domini ✠": Which Bills of Credit shall be signed, numbered, and dated, by the Commissioners or Trustees for emitting Bills of Credit; and the Sum of Money that each and every of the said Bills is to pass for, shall be printed at the Top of each Bill in Words at length, which such Devices and Marks on the said Bills as the said Commissioners or Trustees shall think fit and direct, as well to prevent Counterfeits as to distinguish their several Denominations; which said Bills shall be of the several and respective Denominations following, and no other, to wit, eight Thousand Bills of Twenty Shillings each, twelve Thousand Bills of Fifteen Shillings each, twelve Thousand Bills of Ten Shillings each, twelve Thousand Bills of Five Shillings each, twelve Thousand Bills of Two Shillings and Six-pence each, ten Thousand Bills of Two Shillings each, ten Thousand Bills of one Shilling and Six-pence each, ten Thousand Bills of One Shilling each, ten Thousand Bills of Six-pence each. And the said Commissioners or Trustees, for emitting Bills of Credit, are hereby directed and required to use the best of their Care and Diligence that the said Bills, according to their respective Denominations aforesaid, and according to the

[Bills of
Credit to the
Value of
30,000 l. to
be struck.]

Liber H. S. Manner and Form aforesaid, be forthwith Printed and made ready
 No. 1 for Emission; and that the Number thereof be not exceeded, nor any
 p. 209 clandestine or fraudulent Practice be used by the Printer, his Servants, or others, concerned therein.

And be it Enacted, That the Printer who shall or may be employed in Printing and Stamping the blank Bills of Credit in this Act mentioned, and all his Apprentices and Servants, which he may employ in the said Work, shall, before he or they begin or enter upon the same, take, before some Justice of the Provincial or County Court, the following Oath, to wit, "I A. B. do swear, that I will truly, faithfully, and honestly, perform my Duty of Printer, agreeable to the Directions of an Act of Assembly of this Province, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds six Shillings thereof, in Bills of Credit, and raising a Fund for sinking the same; and will not advisedly Print or Stamp any greater Number of blank Bills of Credit than in that Act mentioned, or of other Denominations than therein expressed: So help me God."

[Printer's Oath.]

[Penalty for printing more Bills than directed.]

And if such Printer, by himself, Servants, or Apprentices, or any of them by his Privy, Direction, or Permission, shall advisedly Print and Stamp any greater or larger Number of the blank Bills aforesaid, or of any other Denominations than by this Act limited and expressed, and be thereof legally convicted in any Court of Record, within this Province, he shall forfeit and pay the Sum of Five Hundred Pounds Current Money; to be recovered in any Court of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, nor more than one Imparlance shall be allowed: And any Servant or Apprentice of such Printer, who shall be of the said Offence convicted, before two or more Justices of the Peace of the County where the same shall be committed, shall receive corporal Punishment by whipping not exceeding thirty-nine Stripes, by the said Justices to be adjudged.

[Bills to be printed in the Presence of the Commissioners.]

Be it also Enacted, That the Printer of the said blank Bills shall not, by himself, Servants, or any other Person by him employed, presume to Stamp the same Bills, or any of them, but in the Presence of one or more of the Commissioners or Trustees of the Loan Office of this Province, who are hereby required and directed to be present. And when all the said Bills shall be printed and stamped, the Stamps and Flowers by which such Impression may be made, shall be delivered by the Printer to the Commissioners of the Loan-

p. 210

[Stamps, &c. to be delivered to, and kept by the Commissioners, under Penalties.]

Office, under the Penalty of Five Hundred Pounds Current Money; to be recovered as aforesaid; and the said Commissioners are hereby directed and required to receive the said Stamps and Flowers into their Possession, and the same safely keep in the Office aforesaid, under the Penalty of Five Hundred Pounds Current Money; to be recovered as aforesaid.

And be it further Enacted, That any Person or Persons, who shall counterfeit any of the said Bills of Credit, made current by this Act, or shall alter the Sum expressed in any of the said Bills, and his, her or their Aiders or Abettors, or who shall utter or offer, or cause to be uttered or offered, in Payment, any such counterfeit or altered Bill or Bills, knowing the same to be counterfeit or altered, and shall be thereof convicted by due Course of Law, or stand mute, or peremptorily challenge above the Number of Twenty of the Panel, shall suffer Death as a Felon or Felons, without Benefit of Clergy. And all Magistrates and others, into whose Hands any counterfeited Bills may happen to come, shall forthwith deliver the same to one of the Commissioners or Trustees, who shall cause the Name of those that delivered them, and of the Persons from whom they were taken, to be endorsed on the Back thereof; which Bills shall be safely kept in the said Office, and be forth coming when there may be Occasion thereof.

Liber H. S.
No. 1
[Felony to counterfeit Bills, &c.]

[Counterfeit Bills to be endorsed and delivered to the Commissioners.]

And be it further Enacted, That the said Commissioners or Trustees, before they enter upon the Execution of their said Trust, each of them shall enter into Bond, with sufficient Sureties, jointly and severally, to one of the Provincial Treasurers, for the Time being, in the Penalty of Two Thousand Pounds Sterling, payable to the Lord Proprietary, conditioned for the Observance and faithful Discharge of the Trust hereby reposed in them. And that the said Treasurer shall cause the said Bonds to be proved by the Witnesses thereto before one Provincial Justice, who shall endorse the Probate of the same Witnesses on the Back thereof; and also by an Order under his Hand on the Back of the same Bond, require the Clerk of the Provincial Court immediately to record, among the Land Records of his Office, the said Bond, Probate and Order; and the said Clerk shall immediately, after the recording aforesaid, deliver the Original to the Register of the Chancery Court, to be by him safely kept in the Chancery Office; and an attested Copy of the said Bond and Probate from the said Provincial Records, shall be as good Evidence in Law to maintain an Action of Debt for the Breach of the Condition thereof, to all Intents and Purposes, as if the said Bond or Bonds were actually produced and proved in Court. And shall also take the following Oath, before some Provincial Justice (who is hereby empowered and required to administer the same), to wit, "I A. B. do swear, that I will, according to the best of my skill and Knowledge, faithfully, impartially, and truly demean myself, in the Discharge of the Trust committed to me, by an Act of General Assembly of this Province, entitled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds six Shillings thereof, in Bills of Credit, and raising a Fund for sinking the same, according to the Purport and Tenor of the same Act, so that none may

[Bond to be given by the Commissioners.]

[To be proved and recorded.]

p. 211

[Commissioners Oath.]

Liber H. S. be prejudiced by my Consent, Privity, or Procurement: So help
No. 1 me God."

[Directions to be given about printing the Bills; and how they are to be kept, &c.] And be it further Enacted, That the said Commissioners or Trustees, after they are so qualified, shall proceed to give Directions for printing the same Bills of Credit, according to the Directions of this Act, and after the same are so printed, shall sign and number the same Bills as is hereby directed; and the same so signed shall keep and deposite in one strong Iron-Chest, with three strong, substantial and different Locks, and that each Commissioner or Trustee shall keep a Key, to the End that no Bills of Credit, which shall be signed, be taken out or disposed of, but by or in the Presence of all the Commissioners or Trustees; which Chest shall be by them kept in the Repository built for the present Paper-Currency.

[Accounts to be kept by the Commissioners of Bills issued; and to be inspected by a Committee.] And be it further Enacted, That the said Commissioners or Trustees, for the Time being, shall keep true, separate, and distinct Accounts, as well of the Bills which they shall sign and issue, as of the Money and Bills which they shall receive and pay, pursuant to this Act; which several Accounts a Committee of both Houses of Assembly shall be appointed every Session to inspect and examine; and which Committee shall also inspect and examine the Proceedings of the said Commissioners or Trustees, who are hereby required and obliged to lay a full and fair State of their Proceedings before such Committee, to the End they may be satisfied that the Sums for which Bills of Credit are to be issued, pursuant to this Act, are not exceeded, and may be acquainted, from Time to Time, with the State of the whole Transactions and Affairs relating to the said Office, and of the Management and Behaviour of the said Commissioners or Trustees; which Committee shall every Session of Assembly, report to the General Assembly the State and Condition of the said Office, and the Conduct and Behaviour of the said Commissioners or Trustees, to the End that any Corruption or Mismanagement may be timely guarded against and prevented.

[Clerk to keep Accounts.] And be it further Enacted, That the Clerk for the Time being to the Commissioners or Trustees aforesaid, shall keep the Books of Accounts of all their Transactions in Virtue of this Act: For which and for every other Service incident to his Office, he shall have a [p. 212] Salary of Twenty Pounds Current Money for the first Year, and [His Salary.] at the Rate of Ten Pounds for every Year afterwards, 'til the said Sum of Thirty-four Thousand and Fifteen Pounds six Shillings, be sunk and destroyed as herein directed, so long as he shall continue in his Office under this Act, and so in Proportion for a less Time than one Year, to be paid by the Commissioners or Trustees aforesaid in the said Bills of Credit: But before he shall enter upon the Execution of his said Office, he shall take an Oath, before some Justice of the Peace in this Province, who is hereby impowered and required to administer the same, in these Words, "I A. B. do swear that I will truly and faithfully perform and execute the Office

and Duty that is directed and required of me as Clerk to the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, by a Law of this Province, entitled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same; and I will keep a just and true Account of all the Bills of Credit, which shall be issued and paid out of the said Office, and the Names of those to whom the same shall be paid and delivered, and also just and true Accounts of all Bills of Credit and Sums of Money, which, by Virtue of the said Act, shall be paid and received, and by whom, into the said Office; and all other necessary Accounts, relating to the said Bills of Credit, and true Entries make of all other Proceedings and Transactions of the said Commissioners or Trustees, appointed to put the said Act in Execution, without any fraudulent Practice whatsoever: So help me God:" Which Justice of Peace so administering such Oath, is hereby required to send a Certificate of such Clerk's having taken such Oath, to the Clerk of the Provincial Court, who shall receive and file the same in his Office, and the Office-Bond of the Clerk of the said Commissioners or Trustees, and his Securities in such Bond, shall be answerable for, and put in Suit for any Breaches of his Duty committed against this Act.

And be it further Enacted, That each of the said Commissioners or Trustees, for the Time being, who shall undertake and execute the said Trust, shall be allowed, for their Trouble and Service therein, Twenty Pounds for the first Year, and at the Rate of Ten Pounds for every Year afterwards, 'til the said Sum of Thirty-four Thousand and Fifteen Pounds six Shillings, be sunk and destroyed as herein directed. And the Printer aforesaid who shall print the said Bills of Credit, according to the Directions of this Act, shall be allowed the Sum of Two Hundred Pounds Current Money, to be paid in the several County Levies

And be it further Enacted, That the said Bills of Credit, to be emitted and made current by Virtue of this Act, shall be current for and during the same Term and Time as the Bills of Credit already emitted and made current by the Act For emitting and making current Ninety Thousand Pounds Current Money of Maryland, in Bills of Credit, are by the said Act directed and appointed to be current, and during the said Term shall pass and be received in Payment, Satisfaction and Discharge of all Sums of Money to be paid by this Act, and of all such Contracts, Debts, Lawyers and Officers Fees, and Levies, and all such Bounties, Rewards, and Allowances, given and allowed by any Act of Assembly of this Province, in Money or Tobacco, and also all such Fines, Forfeitures, and Penalties, settled and established in Money or Tobacco, by any Law of this Province, and of all such Rates, Duties, and Impositions, upon the Importation or Exportation of any Goods, Wares, or Merchandizes, Ser-

Liber H. S.
No. 1

[His Oath.]

[Commissioners to be allowed 20 l. for the first Year, and 10 l. for every Year after, 'til the Sum of 34015 l. 6s. be sunk. The Printer to be allowed 200 l.]
p. 213

[Bills of Credit emitted by this Act shall be current for the same Term as the Bills of Credit already emitted by the Act For emitting and making current 90,000 l. &c. and to be received in Discharge of all Debts, &c.]

Liber H. S. wants and Slaves, allowing the usual Allowance of thirty-three
 No. 1 Pounds six Shillings and Eight-pence per Centum between Sterling
 and Currency, and of all other Debts of what Nature, Quality or
 Degree, so ever, now due, or which shall hereafter arise or become
 due, during the Continuance of this Act, which, by the Laws of this
 Province, shall and may be paid in Bills of Credit already emitted
 and made current in this Province, or in Gold or Silver.

[A Tender of such Bills of Credit, to be as good and effectual as if made in Gold or Silver, &c.]
 And be it further Enacted, That any Person tendering or offering the Bills of Credit, by this Act to be emitted, in Discharge of any such Debts or Contracts as aforesaid, or in Payment and Discharge of any such Levies, Fees, Penalties, Bounties, Rewards, and Allowances, Fines, Forfeitures, Rates, Duties, and Impositions, as aforesaid, shall have and receive the same Benefit and Advantage from and by such Tender, as if such Tender was made in Gold, or Silver, or Tobacco, in Specie, or of the Bills of Credit heretofore emitted and made current in this Province; any Law, Usage, or Custom, to the contrary, notwithstanding.

[Persons sued for any Debt, &c. who shall bring into Court and tender Bills of Credit, made current by this Act, to the Amount thereof, with Costs of Suit, shall upon such Tender, be discharged.]
 And be it further Enacted, That if at any Time pending any Action or Suit, for the Payment of Current Money, payable by Bond, Bill, Note, Account, or other Contract, the Defendant shall bring into Court, where the Action or Suit shall be depending, all the principal Money and Interest due on such Bond, Bill, Note, Account, or other Contract, and pay all Costs which shall arise due on such Action or Suit, and shall tender the same Bills of Credit; upon such Tender and paying the Costs as aforesaid, the Defendant or Defendants in any such Action or Suit be by the Court absolutely discharged therefrom.

p. 214
 [Bills of Credit torn or defaced shall be exchanged by the Commissioners, who are to keep distinct Accounts of all such Bills by them received, &c.]
 And be it further Enacted, That upon Application, during the Continuance of this Act, to the Commissioners or Trustees, for the Time being, in this Province, by any Person or Persons having any of the Bills of Credit (by this Act made or emitted), which are torn or defaced, and not fit to pass, it shall and may be lawful to and for the said Commissioners or Trustees, and they are hereby required, without Fee or Reward, in Lieu of such torn or defaced Bill or Bills, to deliver unto such Person or Persons any Bills of Credit, which may be received and paid into the said Office in Virtue of this Act, and which may be in their Hands unapplied, for the same Value for which such torn or defaced Bill or Bills shall pass current, at the Time of bringing the same to the said Commissioners or Trustees, and to keep and retain such torn Bill or Bills shall be brought in; and they shall, and are hereby directed and required to keep separate and distinct Accounts of all such torn or defaced Bills, so by them taken and received, and of the Bills or Current Money delivered out in Lieu thereof.

And be it further Enacted, That the Commissioners or Trustees of the Loan-Office, after the Sum of Five Thousand Nine Hundred and Eighty-four Pounds Fourteen Shillings, in Bills of Credit, herein before directed to be paid and delivered out, is repaid and replaced into the said Office, by the Rates, Duties and Taxes, by this Act imposed, shall retain and keep in the said Office all such Sums of Money, in Bills of Credit, as they shall receive by Virtue of this Act, except such Part thereof as shall be exchanged for torn and defaced Bills, and all torn and defaced Bills, so taken in exchange, until the next Session of Assembly, and then shall burn and destroy the same, before the Committee which shall be appointed to inspect the Accounts and Proceedings of the said Office; and so from Session to Session, until they have so destroyed the full Sum of Thirty-four Thousand and fifteen Pounds Six Shillings.

Liber H. S.
No. 1
[Commissioners, after the Sum of 5984 l. 14 s. is replaced, shall retain all such Sums of Money received by this Act, except, &c. and all defaced Bills, until the next Session of Assembly, which shall then be destroyed, &c.]

And be it Enacted, That the said Sum of Forty Thousand Pounds be laid out and applied in Manner following, that is to say, in building and constructing one Fort, and any Number not exceeding four Block-Houses, on the Western Frontiers of this Province, accommodating and paying Workmen employed therein, in paying, arming and victualling, in Bounty-Money for enlisting, cloathing common Soldiers, transporting and conveying any Number not exceeding Two Hundred Men (Officers included), that shall be kept in Garrison in the same, and all other Necessaries for the Support and Maintenance of the said Garrison, such Sum or Sums of Money as shall be necessary; not exceeding Eleven Thousand Pounds, including the Commissions of the Agents herein after appointed; and whereas it has been necessary, during this present Session of Assembly, for the immediate Defence of the Western Frontier of this Province, to draw out of the Loan-Office, the Sum of Seven Hundred and Fifty Pounds, by two different Ordinances: It is therefore hereby Enacted and Declared, That the said Sum of Seven Hundred and Fifty Pounds shall be held, deemed, and taken, as Part of the said Sum of Eleven Thousand Pounds. In the engaging the Assistance, and cultivating the Friendship of the Southern Tribes of Indians, and the defraying the Expences of two Commissioners, to be sent from this Province, to treat with the same, in Conjunction with Commissioners from Pensylvania, Virginia and North-Carolina, or any of them, such Sum as shall be necessary, not exceeding Three Thousand Pounds, including the Commissions of the Agents aforesaid, and the Sum of Two Hundred and Fifty Pounds hereafter given to the Commissioners, appointed to treat with the Indians aforesaid: In the paying and satisfying any of the Inhabitants of this Province, or any of our Indian Allies, for the Scalp of every Indian Enemy, or any Indian Prisoner, by them taken or brought in, after the Rate of Ten Pounds for each Scalp or Indian Prisoner, One Thousand Pounds, including Commissions to the Agents aforesaid: In the carrying on any Expedition or Operation,

[How the Sum of 40,000 l. is to be applied, &c.]

Liber H. S. which shall be undertaken by this Province for his Majesty's Service, in Conjunction with all the Governments aforesaid, or Virginia and Pennsylvania only, in Case Carolina should fail to join therein, Twenty-five Thousand Pounds, including Commissions to the Agents aforesaid.

[Agents appointed.] And be it Enacted, That M.^r William Murdock, M.^r James Dick, and M.^r Daniel Wolstenholme, shall be and are hereby appointed Agents, to execute and perform the several Matters and Things herein after mentioned and expressed, that is to say, for the purchasing and procuring all such Tools, Cloaths, Provisions, Arms, and [Their Duty.] other Warlike Stores, and transporting and conveying the same, as shall be necessary and requisite for the Officers and Soldiers in Garrison, in the said Fort and Block-Houses, to be built on such convenient Places on or near and not beyond the North-Mountain, and in such Form as his Excellency Horatio Sharpe, Esq; or the Governor or Commander in Chief, for the Time being, shall direct and appoint, and for the Payment of the Workmen, and the said Officers and Soldiers, that shall be in the same, or any others, that shall be enlisted or raised by Virtue of this Act for any Expedition, and for cloathing, providing for and arming the same, and for purchasing and contracting for any necessary Stores for his Majesty's Service, for the Purposes in this Act mentioned.

[The Agents for purchasing, providing, &c. upon Order from the Governor for that Purpose, to apply to the Commissioners for such Sums of Money as they shall judge necessary.] And be it further Enacted, That the Governor or Commander in Chief, for the Time being, shall be, and is hereby empowered to issue his Order to the said Agents for the purchasing, providing and transporting all such Arms, Provisions, Cloaths, and other Necessaries, for the Services and Purposes aforesaid, and for such Sums of Money for Payment of the Officers and Soldiers in Garrison in the said Fort and Block-Houses, as he, from Time to Time, shall judge needful, expressing in such Orders for which of the Services mentioned in this Act such Arms, Provisions, Cloaths, and other Necessaries, are to be applied. And the said Agents, and their Successors, or the major Part of them, shall and they are hereby empowered and obliged, on Receipt of every Order and Direction, forthwith to call for, demand and receive, from the Commissioners or Trustees, established by Act of Assembly for emitting Bills of Credit, who are hereby obliged to pay the same, all such Sums of Money as they shall judge necessary to comply with such Order and Direction; and shall immediately proceed to contract for, procure and transport, all such necessary Supplies, as in the said Order shall be mentioned and directed.

[The Agents to pay to l. for every Scalp to the Person producing a Certificate thereof from the Magistrate.] And be it further Enacted, That for every Scalp of an Indian Enemy (being the Skin of the Crown of the Head), and for every live Indian Enemy, which any Person, Inhabitant of this Province, or Indian in Friendship and Alliance with his Majesty's Subjects, shall produce to any Magistrate of this Province (and which Scalp such Magistrate shall burn and destroy), the aforesaid Magistrate

shall immediately give such Person or Indian a Certificate, under his Hand, which being produced to either of the said Agents, such Agent shall immediately pay to the Person producing the same, the Sum of Ten Pounds Current Money, and the Receipt of such Person or Indian, on such Certificate, shall, for such Sum, be a sufficient Discharge to the said Agent. And whenever any Person, Inhabitant of this Province, or Friend Indian, shall produce any such Indian Enemy to any Magistrate, such Magistrate shall, by such Person or Indian Friend, with the Assistance of such other Person or Persons as he shall by Wararnt, under his Hand, order and direct, send such Indian Enemy to the Sheriff of the respective County, who shall receive into his Goal and safe keep such Indian Enemy, at the public Expende of this Province, 'til legally discharged.

Liber H. S
No. 1

p. 217

And be it further Enacted, That the Agents appointed by this Act, for the purchasing Provisions and other Necessaries, as aforesaid, shall, and they are hereby required and directed to keep fair, distinct and regular Accounts, of all Sums of Money as they shall receive in Virtue of this Act, and to what particular Purpose or Service the same shall be applied, to be by them, upon Oath, at every Session, laid before the General Assembly of this Province; and the said Agents, for their Trouble in executing and performing what is by this Act enjoined and required of them, shall and may retain in their Hands a Commission of Two Pounds Ten Shillings per Cent on all such Sums of Money as they shall, in Virtue of this Act, receive and apply to the Purposes aforesaid. But before the said Agents, or either of them, shall receive any of the Money aforesaid, by this Act appointed to be paid to them, they and each of them shall enter into Bond, before two Provincial Magistrates, with good and sufficient Securities, jointly and severally, to the Right Honourable the Lord Proprietary of this Province, each in the Sum of Two Thousand Pounds Current Money, with Condition to the said Bonds, in the following Form, viz. "The Condition of the above Obligation is such, That if the said

[The Agents
to keep fair
Accounts,
upon Oath.]

[Their Allowance.]

[To enter
into Bond,
&c.]

shall and do, at all Times, so long as he shall continue in the Office of Agent, for the Purposes mentioned and directed in the Act of Assembly, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof, in Bills of Credit, and raising a Fund for sinking the same, well and faithfully perform and execute the Duty and Trust reposed in him by the said Act, and do, from Time to Time, render to the General Assembly of this Province true, just, perfect, and regular Accounts of his Transactions and Proceedings, in Virtue of the same Act, and of the several and respective Sums of Money by him received from the Commissioners or Trustees, for emitting the Bills of Credit established by Act of Assembly, and how

[The Condition of the
Bond.]

Liber H. S. and for what Particulars the same are laid out and disposed of, and
 No. 1 account for and pay all such Sums of Money as shall be remaining
 p. 218 in his Hands and not disposed of, as the General Assembly of this
 Province shall direct, that then the said Obligation to be void; else
 to be and remain in full Force and Virtue."

[In case of Death or Refusal, the Governor to appoint an Agent.] And be it further Enacted, That in Case of the Death of the said Agents, or either of them, or their or either of their Refusal to execute the Trust aforesaid, that then and in every such Case, it shall and may be lawful to and for the said Horatio Sharpe, Esq; or the Commander in Chief, for the Time being, by Warrant under his Hand, to appoint one or more fit Person or Persons to be Agent or Agents, in the Stead of such Agent or Agents dying or refusing as aforesaid, who shall have all the Powers and Authorities aforesaid.

[In case of an Expedition without the Province, the Governor may draw for any Part of the Sum of the 25,000 l. out of the Loan-Office or Agents Hands, who are obliged to answer the same.] And be it further Enacted, That in Case his Excellency Horatio Sharpe, Esq; or Commander in Chief of his Majesty's Forces, to be raised in this Province, shall march with the said Forces beyond the Limits or Bounds of the same on any Expedition, in Conjunction with the Forces of the neighbouring Provinces, or Virginia and Pennsylvania only, and then and in such Case, he shall and is hereby authorized and impowered to draw for or order any Sum or Sums of Money of the Twenty-five Thousand Pounds raised for such Service aforesaid, and not applied or expended, that by him shall be thought necessary for his Majesty's Service, on such Expedition, out of the Loan-Office, or the Hands of the Agents or either of them; and they are hereby obliged and required forthwith to answer and make Payment of such Orders out of the Residue or Remainder of the said Sum of Twenty-five Thousand Pounds, if any be.

[Commissioners appointed to treat with the Southern Tribe of Indians, &c.] And be it further Enacted, That the Honourable Col. Benjamin Tasker and Charles Carroll, junior, Esq; are hereby appointed Commissioners to treat with the Southern Tribes of Indians for the Purposes, and in the Manner as above by this Act is directed, and to that End shall be commissioned by the Governor or Commander in Chief of this Province, for the Time being; and the Agents, by this Act appointed, are hereby directed and required to purchase proper Presents, to be made to the said Indians, to the Value of One Thousand Pounds Current Money, and to convey the same to the Place appointed for Treaty with them, to be disposed of by the said Commissioners, as by this Act is directed: And also to pay to the said Commissioners the Sum of Two Hundred and Fifty Pounds Current Money, to defray the Expences of the Journey to, and Return from, the Place fixed for meeting and treating with the Indians aforesaid.
 p. 219

And for the better Encouragement of Freemen of sufficient Ability of Body, and fit for Service, who shall voluntarily offer themselves and be accepted to garrison the Fort and Block-Houses aforesaid:

Be it Enacted, That the Sum of Twenty-two Shillings and six Pence, or Three Pieces of Eight, out of the Eleven Thousand Pounds aforesaid, be paid to every such Freeman on his enlisting as aforesaid. And in Case sufficient Freeman, fit for the Service aforesaid, shall not offer themselves to be enlisted, to compleat the Number of Two Hundred, including Officers, by the twentieth Day of June next, that then the Governor or Commander in Chief of this Province, for the Time being, shall immediately after the said twentieth Day of June next, apportion and direct the Number of Men to be drafted out of each respective County of this Province, to make up the Number aforesaid, and forthwith shall direct the Colonels of the respective Counties, with the utmost Expedition, to call together their whole Militia as such convenient Place within their said Counties, as the said Colonels shall appoint, at the same Time acquainting them of the Number of Men to be drafted out of their respective Militia; and the Colonels, Majors, and Captains of each respective County, or the Majority of them, shall, out of their Militia so met, immediately proceed and draft double the Number of Men allotted by the Governor to be drafted, being unmarried, and not Servants imported, or by Indenture actually executed before the first Day of February last, out of the Militia of such County as aforesaid; from which Number, so drafted, the Number allotted as aforesaid, shall be ballotted; and thereupon the several Persons, so ballotted, shall be by the Sheriff of the respective County, who is hereby strictly enjoined and required to be then present, safely conveyed, at the public Expence, without Delay, to the Sheriff of the next County, and so from Sheriff to Sheriff, 'til they are conveyed to the Place appointed for fixing the Fort aforesaid.

And be it Enacted, That every Officer aforesaid, who shall not appear on the Day appointed, as aforesaid, having Notice thereof, and give his Vote in drafting the Number of Men aforesaid, shall forfeit and pay the Sum of Ten Pounds Current Money. And every Sheriff, having Notice as aforesaid, who shall not be present and take charge of the Men, who shall be ballotted as aforesaid, shall forfeit and pay the like Sum: And every Person capable of bearing Arms, who shall not appear at the Days respectively to be appointed as aforesaid, shall forfeit and pay the Sum of Five Pounds like Money. All which Forfeitures shall be recovered by Action of Debt, Bill, Plaint or Information, in any Court of Record, within this Province, wherein no Essoin, Protection, or Wager of Law, shall be allowed; one half to the Informer, or him or her that shall sue for the same, and the other half to be applied as herein after directed. And every Colonel who shall neglect to give the several Officers and the Sheriff aforesaid Notice, within ten Days of the Day to be by him appointed as aforesaid, shall forfeit and pay Twenty Pounds Current Money, to be recovered and applied as aforesaid.

Liber H. S.
No. 1

[Twenty-two Shillings and six Pence to be paid to every Freeman, who shall voluntarily enlist.]

[The Governor to give Orders to the Officers of the County, to call together their Militia.]

[Their Duty in drafting them.]

[Penalty on Officers, Sheriff, and every other Person capable of bearing Arms, who shall neglect to appear on the Day appointed for drafting the Men.]

p. 220

Liber H. S.
 No. 1
 [No Part
 of the
 25,000 l. by
 this Act
 appointed for
 the Expedi-
 tion, shall be
 expended,
 until the
 Governor
 receives
 undoubted
 Assurance,
 that the
 neighbouring
 Colonies will
 contribute
 their Quotas,
 &c.]

And be it further Enacted, That no Part of the Twenty-five Thousand Pounds, by this Act applied for the carrying on an Expedition, in Conjunction with the neighbouring Colonies, shall be laid out or expended in any Manner whatsoever, until the Governor or Commander in Chief, for the Time being, of this Province, shall have received from the Governors of all the said Colonies, or of Virginia and Pennsylvania only, undoubted Assurance, that the Assemblies of their respective Governments will contribute their reasonable Quotas towards the supporting and carrying on such Expedition: But that then and in such Case, the Sum of Twenty-five Thousand Pounds, by this Act directed to be applied to the enlisting Men, purchasing Arms, and defraying all the other necessary Expences of such Expedition, shall not be taken or drawn out of the Loan-Office of this Province; but shall be and remain in the said Office, to be applied as the General Assembly of this Province shall hereafter direct and appoint; any Thing in this Act, to the contrary, notwithstanding.

p. 221

[Officers and
 Soldiers
 Pay.]

And be it further Enacted, That all Freemen that shall or may voluntarily enlist themselves, or be drafted and ballotted, according to the Direction of this Act, from any of the Companies of the Militia of the several Counties of this Province, to compleat the Number of Two Hundred Men (including Officers), which are to be employed at the Fort and Block-Houses, by this Act directed to be built, for the Security and Protection of the Frontier Inhabitants, and all Men that shall or may be enlisted or raised for carrying on any Expedition, in Conjunction with the neighbouring Governments, in Manner before mentioned, shall, over and above the Bounty-Money given to such as shall voluntarily enlist themselves, and the Cloathing and all Things necessary for a Soldier, be paid and satisfied for their service from the Time of their respective Enlistment, or being ballotted, in Manner following, that is to say, To every Captain, having the Command of a Company of Ninety-nine Men, including Officers, Twelve Shillings and six Pence per Day: To every Lieutenant of such Company, Six Shillings and eight Pence per Day: To every Ensign Five Shillings per Day: To a Gun-Smith to be employed in the Fort, Two Shillings and six Pence per Day: To every Sergeant, One Shilling and six Pence by the Day: To every Corporal, One Shilling and two Pence by the Day: To every Drummer, One Shilling and two Pence by the Day: And to each and every private Soldier, Nine Pence by the Day: To a Surgeon at the Fort, Six Shillings by the Day, and Medicines to be found by the Agent out of the Money raised by this Act: To a Surgeon, who shall attend the Expedition aforesaid, to be allowed for himself and Mate Twelve Shillings and six Pence per Day, and Medicines to be found as aforesaid: To a Commissary of Stores, Seven Shillings and six Pence per Day: Which several Officers, Gun-Smith, Surgeon, Commissary of Stores, and Soldiers, are hereby directed duly to be paid monthly.

Provided always, That the several Companies of Men that shall be enlisted and raised in Manner aforesaid, for the different Purposes in this Act mentioned, shall not be obliged to serve or continue on Duty after the tenth Day of February next, but shall, at that Time, be disbanded, discharged, and paid off; and that on no Pretence whatsoever any of the Forces or Levies enlisted or raised, by Virtue of this Act, shall be longer continued or kept in Pay.

Liber H. S.
No. 1
[Soldiers
not to be
obliged to
serve after
the 10th Day
of February
next.]

And for the Encouragement of such Soldiers that shall adventure their Lives in the Expedition aforesaid, for his Majesty's Service, or in Defence of this Province, and for Provision of some reasonable Pension for the future, to be settled on such Soldiers as shall happen to be maimed, or rendered incapable to get their Livelihood for themselves or Families:

Be it Enacted, by the Authority aforesaid, That every Person who shall adventure as a Soldier on such Expedition, or Defence of this Province, and shall therein happen to be maimed or receive hurt, so as to be incapable of getting a Livelihood, as aforesaid, shall, according to his Disability, receive a yearly Pension, to be raised out of the Public Levy of this Province, during the Time of such Disability: The Party petitioning for such Pensions and Allowances, procuring a Certificate from the County Court where he or they live, that he or they are Objects of Charity, and deserve to have such Pension and Allowance.

[Soldiers
maimed or
wounded to
have a
Pension.]

p. 222

And for the better regulating and keeping in due Subjection, to their Commanding Officers, the Forces that shall be raised or enlisted to march, and act in Conjunction with those of the neighbouring Colonies, or with those raised by Virginia and Pensylvania only, on any Expedition to the Westward, out of the Limits of the Province:

Be it Enacted, That all and every of the Officers and Soldiers commissioned, raised, enlisted, and in pay, for the Purpose aforesaid, shall be subject to the same Laws, Rules, Duties, and Trials, and be liable to the same Punishments, as they would by Virtue of an Act of Parliament passed in the twenty-eighth Year of his present Majesty, intituled, An Act for punishing Mutiny and Desertion, and for the better Payment of the Army, and their Quarters.

[Officers and
Soldiers to
be subject to
the same
Laws, Pun-
ishments, &c.
as are indi-
cated by an
Act of
Parliament,
entituled, An
Act for
punishing
Mutiny &
Desertion,
&c.]

And be it further Enacted, That if any Officer or Soldier, enlisted, or drafted out of the Militia of the several Counties of this Province, to serve and continue on Duty in the Forts and Block-Houses on the Western Frontier of this Province, shall excite or join in any Mutiny, or refuse to obey the just Commands of his superior Officer, or shall desert from the said Service, contrary to the Intent of this Law, he shall suffer as a Felon; and being thereof convicted, or indicted and arraigned, and standing mute, or peremptorily challenging above Twenty, shall suffer Death.

[Officers and
Soldiers
mutinying
&c. shall
suffer as
Felons.]

Liber H. S. And be it further Enacted, That if any Person shall harbour or
 No. 1 conceal, or assist any Deserter, from the Service aforesaid, knowing
 [Persons him to be such, the Person so offending shall forfeit, for such
 harbouring Offence, the Sum of Ten Pounds Current Money; one Moiety
 Deserters, thereof to the Informer, the other to the Uses in this Act mentioned;
 knowing them to be such, shall
 them to be forfeit to 1.]
 such, shall
 forfeit to 1.]

wherein no Essoin, Protection or Wager of Law, to be allowed, or more than one Imparlance.

 And be it further Enacted, That every Person who shall vol-
 untarily enlist in either of the Services aforesaid, and serve therein
 for the Space of six Months, upon producing to the County
 Court where he shall incline to reside, after his Return from such
 Service, a Discharge, and Certificate of his good Behaviour therein,
 which Certificate the Clerk of the said Court shall record without
 Fee or Reward, shall be exempted from the Payment of all Manner
 of Taxes, or Levies whatever, as also from labouring in making or
 mending Highways, and from Payment of Ferriages, for the Space
 of two Years next after the producing such Discharge and Certificate.

p. 223

And for repaying and replacing the said Sum of Five Thousand Nine Hundred and Eighty-four Pounds Fourteen Shillings, and sinking the Sum of Thirty-four Thousand and Fifteen Pounds Six Shillings, Part of the said Sum of Forty Thousand Pounds granted by this Act, for his Majesty's Service:

 Be it Enacted, by the Authority, Advice, and Consent aforesaid,
 That from and after the twentieth Day of June, in the Year One
 thousand seven hundred and fifty-six, there shall be levied, raised,
 collected and paid, by Way of Excise, on all Rum, and other Spirits
 already imported, or which shall hereafter be imported, or distilled,
 or extracted within this Province, from Melasses, or any Grain, or
 other Materials, not of the Growth of this Province, which shall be
 retailed, or sold, in any Quantity under fifty Gallons; on all Wine
 (except Wine imported from Great-Britain), which shall be re-
 tailed, or sold, in any Quantity under twenty-five Gallons, or which
 (not being bought or sold by Way of Retail) shall be consumed;
 and on all Brandy, or other Spirits, made, distilled, or drawn from
 any Grain, or Fruit, of the Growth and Produce of this Province,
 and sold, or retailed, the following Rates, Duties and impositions,
 that is to say, for all Wine (except as before excepted, and also
 except Madeira Wine already imported) so retailed or consumed,
 Six-pence per Gallon; for all Rum, and other Spirits already im-
 ported, or which hereafter shall be imported or distilled, or extracted,
 within this Province, from Melasses, or any Grain, or other Mate-
 rials, not of the Growth or Produce of this Province, so retailed or
 consumed, Four-Pence per Gallon; for all Brandy, or other Spirits,
 made, distilled or drawn from Grain, or Fruit, of the Growth and

[Duty on
 Wine, Rum,
 &c. except
 Wine im-
 ported from
 Great-
 Britain.]

Produce of this Province, and sold by Way of Retail, Two-Pence per Gallon; and for all Madeira Wine already imported, and on which a Duty of Two-Pence per Gallon, by a former Act of Assembly of this Province, has already been paid, the Sum of Four-Pence per Gallon.

Liber H. S.
No. 1

And be it further Enacted, by the Authority aforesaid, That the Sheriffs of the respective Counties within this Province, for the Time being, shall be Collectors of the Duty by this Act imposed on Liquors, and shall be commissioned for that Purpose, by the Governor, or Commander in Chief, for the Time being; but before they shall enter on the Execution of their Offices aforesaid, they, and each of them respectively, shall give Bond, with two sufficient Securities, to the Right honourable the Lord Proprietary of this Province, in the Sum of Four Hundred Pounds Current Money, with the following Condition, that is to say: "The Condition of the above Obligation, is such, that if the above bound

[Sheriffs to be Collectors, and to be commissioned by the Governor. To enter into Bond, &c. The Condition of the Bond.]

, whilst he shall be and continue in the Office of Collector of the Excise, in County, shall well and faithfully exercise and perform the several Duties required of him to be performed by the Act of Assembly, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same, and do well and faithfully pay, to the Commissioners of the Loan-Office for the Time being, the several Sums of Money which he shall receive, and be answerable for, in Virtue of the same Act, at such Times as by the said Act is directed, according to the true Intent and Meaning thereof; then the above Obligation to be void, and of no Effect, otherwise to remain in full Force and Virtue:" And take the following Oath, viz. I A. B. will truly and faithfully, without Favour or Affection, execute, to the best of my Ability, the Office of Collector of Excise, and will, from Time to Time, Account make, and deliver, to such Persons as by this Act is required, and will take no Fee or Reward for the executing of the said Office, more than by the said Act is given: So help me God. Which said several Collectors are hereby severally impowered by themselves, or their Deputies to be by them duly constituted, and for whose Conduct they shall be accountable, to demand, collect, receive, and recover the Excise appointed by this Act, within the respective Counties and Places for which they are appointed, of and from all and every Person or Persons retailing, vending, or consuming any of the Liquors by this Act liable to pay, and chargeable with the Duties aforesaid; and also to recover, and receive, all and every the Fines and Forfeitures laid, or imposed, or that shall happen to arise, or become due, for any Thing done contrary to the true Intent and Meaning of such Parts of this Act as relate to the Excise.

[Their Oath.]

p. 224

[To be answerable for the Conduct of their Deputies.]

Liber H. S. And be it further Enacted, That every Retailer, of all or any of the
 No. 1 said Liquors, before he, she or they draw, sell, or barter, any of the
 [Retailers, said Liquors, shall enter his, her or their Names, and Places of
 before they Abode, with the Collector of the respective Counties, or their Depu-
 retail any ties, in Books to be by them kept for that Purpose; and all such
 Liquors to Retailers, and every of them, are hereby enjoined, once in every
 enter their three Months, or oftener if required, to make true and particular
 Names, &c. Entries with the Collectors, or their Deputies respectively, upon
 with the Oath, or Affirmation if a Quaker (which the said Collectors, or
 Collectors, their Deputies, are hereby impowered to administer), of all Rum,
 and pay the Brandy, or other Spirits, which they, or any of them, shall have
 Duty once vended, bartered, or retailed within that Time, and so from Time
 in three to Time during the Continuance of this Act; and shall and are
 Months, on hereby required to account for, and pay to the said Collector, or
 Oath.] their Deputies respectively, once in every three Months, or oftener
 if required, all such Sum and Sums of Money as shall become due
 and payable, by Virtue of this Act.

 And be it further Enacted, That all and every Retailer, of all
 [Retailers or any of the Liquors aforesaid, shall, on the Entry of their Names,
 to give a and Places of Abode, with the Officers aforesaid, give unto the said
 true Ac- Collectors, or their Deputies, a true Account of the Quantities, and
 count of Measure, and Number of Gallons, of all Wine, except as before
 their Quan- excepted, and all Rum, Brandy and other Spirits, which shall be in
 tities of their Possession at the Time of the Entry aforesaid; and shall also,
 Rum, &c.] from Time to Time, after the twentieth Day or June, in the Year
 One thousand seven hundred and fifty-six, whenever thereto re-
 quired, give true Accounts, and perfect Entries make, of all and
 singular the Wine as aforesaid, and Rum, Brandy or Spirits, then
 in their Houses, Shops, Cellars, Vaults, or Stores.

 And be it further Enacted, by the Authority aforesaid, That it
 [Penalties any Retailer shall presume to retail, draw, sell, or barter any of the
 on Retailers, Liquors aforesaid, without having first entered his, her, or their
 who shall Name, and Place of Abode, with the Collectors, or Deputies, as this
 sell any Act directs, every such Retailer shall forfeit and pay the Sum of
 Rum, &c. Five Pounds Current Money, over and above the Duties for all
 without such Liquors retailed by them as aforesaid; or if, after such Entry
 having first made, any Retailer shall refuse or neglect to make true and particular
 entered their Entries when required, or shall refuse or neglect to account with,
 Names, &c.] or pay the said Collectors, or their Deputies, what shall appear to
 be due by this Act, upon the Entries made by them as aforesaid,
 once in every three Months, or oftener if required, every such
 Retailer shall forfeit and pay, for so neglecting or refusing to
 enter the Liquors drawn every three Months respectively, and to
 account for pay as aforesaid, for the first Offence, the Sum of Ten
 Pounds Current Money, and for the second Offence, the Sum of

Twenty Pounds Current Money, and are hereby declared incapable of retailing or selling any of the Liquors aforesaid, during the Continuance of this Act; and if the Person or Persons liable to pay the Duties arising upon selling or retailing the Liquors mentioned in this Act, shall neglect or refuse to pay the same, in the Manner and at the Times herein limitted and appointed, by the Space of Ten Days after the same ought to be paid, it shall and may be lawful for the said Collectors respectively, by Virtue of a special Warrant for that Purpose, signed and sealed by any one Justice of the Peace, of the County where the Offence is committed, to empower the said Collector to levy the same, by Districts and Sale of Goods and Chattels of the Offender, rendering the Overplus, if any be, to the Owner or Owners, after reasonable Charges deducted.

Liber H. S.
No. 1

p. 225

And be it further Enacted, That if any Person or Persons shall make short or fraudulent Entires of the Liquors in his or their Possession as aforesaid, or shall neglect or refuse to enter and give the Amount of such Liquors as he, she, or they shall receive at any Time, into his, her, or their House, Store, Cellar, Vault or otherwise, when thereto required as aforesaid, all such Liquors not entered as aforesaid shall be forfeited, and the Collectors for the Time being, or their Deputies, are hereby respectively empowered to enter, at any Time in the Day, when they shall see convenient, the House, Cellar, Store, Vault or Shop, of any Retailer, and compare the Liquors in such House, Cellar, Vault, Shop or Store, with the Quantities, Measures, or Number of Gallons mentioned in the Entries made, and Accounts given in, and seize and take away all such Liquors as shall be found not truly entered as aforesaid, together with the Casks or other Vessels containing the same.

Penalty on
Persons
making short
or fraudulent
Entries.]

And be it further Enacted, That the Collectors, or their Deputies, in the Presence of the Constable, and two good and lawful Witnesses, may, on Request by him made, enter the House, Cellar, Vault, Store, or other Room of such Retailer, in the Day Time, to Gauge all the Vessels and Liquors aforesaid, and if any such Retailer shall refuse to permit any such Collector, or their Deputy, to enter as aforesaid, to Gauge or take Account of the Liquors aforesaid, such Retailer shall be forthwith forbidden, by such Collector, to sell by Retail, any of the Liquors aforesaid; and if any Retailer, after such Warning given, shall presume to vend, barter or sell, any of the Liquors aforesaid, such Retailer shall forfeit, besides the Forfeiture of double the Value of such Liquors by him retailed, the Sum of Twenty Pounds Current Money; to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law to be allowed, or more than one Imparlance.

[Penalty on
Retailers
refusing
entry into
their Houses
to the Col-
lectors, to
gage their
Liquors.]

Liber H. S.
No. 1
p. 226
[Collectors
to allow 15
per Cent for
Leakage,
Collectors to
keep true
Accounts,
and lay
them before
the Assem-
bly &c.
Collectors to
be allowed
10 per Cent
for collect-
ing.]

Provided always, That there shall be allowed by the Collectors, or their Deputies, unto the several Retailers of the Liquors aforesaid, Fifteen per Centum for Leakage or Wastage; and the said Collectors are hereby required to keep true and fair Accounts of all their Doings, in Virtue of this Act, which Accounts they shall lay before the General Assembly of this Province, at every Session, for their Examination; and the said Collectors, and each of them, shall, half yearly, at Michaelmas and Lady-Day, deliver Accounts upon Oath, and make Payment to the Commissioners, or Trustees of the Loan-Office for the Time being, of all such Sums of Money as they shall receive by Virtue of this Act, for the Uses above mentioned and expressed, deducting out of the same Ten Per Cent. for their Trouble and Care in collecting and paying the same, and deducting also, one Moiety of all the Forfeitures by them recovered, for any Offence committed against this Act, after Charges paid and satisfied.

[Every
Person sell-
ing 25
Gallons of
Wine, (ex-
cept im-
ported from
Great-
Britain) or
50 Gallons
of Rum, &c.
shall deliver
to the Col-
lector a List
of the
Quantities
and Species,
every 3
Months,
Penalty on
neglect.]

And be it further Enacted, That every Person or Persons who shall, after the 20th Day of June aforesaid, sell or dispose of, at one Time, the Quantity of fifty Gallons or upwards, of Rum, Brandy, or other distilled Spirits herein before mentioned, or twenty-five Gallons or upwards of Wine, except from Great-Britain, shall, every three Months, or oftener if required, deliver to the Collector of the respective County, where the Person to whom he shall sell or dispose of the same shall reside, a List under his Hand expressing the separate Quantities and Species of all such Liquors, the Place of Abode and Name of the Person to whom and the Time when sold. And if any such Person shall refuse or delay to deliver such List as aforesaid, he shall forfeit and pay the Sum of Five Pounds Current Money for every such Offence, to be recovered in the County where such Offender shall reside, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Impar lance, shall be allowed; one half thereof to be paid to the Informer, or him or them who shall sue for the same, with Costs; the other half to be applied as herein after directed.

[Collectors
to give
Notice of
the Time of
Commence-
ment of the
Duties.]

And the said Collectors are hereby required to give public Notice by Advertisements, fixed at convenient public Places, certifying the Time of Commencement of the several Duties on Liquors, hereby imposed, and full Directions how and when Entries to be made, in Pursuance of this Act.

[Justices to
summon
and swear
Witnesses
for the
Discovery
of Frauds,
&c.]

And for the better Discovery of Frauds and Abuses, Be it further Enacted, That it shall and may be lawful for any Justice of the Peace, of each respective County, and he is hereby required, upon Application made by any Collector of the same County, or other Person, to summon any Person or Persons to appear before such Justice at such Time and Place as he shall appoint, to give Evidence upon Oath, or Affirmation if a Quaker, for Discovery of any Frauds

and Abuses which shall be committed against this Act; and if any Person or Persons summoned as aforesaid, shall neglect or refuse to appear and give Evidence as aforesaid, he, she, or they, so offending, shall, for every such Offence, be fined by the Justice that issued out the Summons in any Sum not exceeding Five Pounds Current Money, and be committed to Prison 'til paid.

Liber H. S.
No. 1
p. 227

And be it further Enacted, That all the Forfeitures and Offences, made, done, and committed, against any Clause or Article contained in this Act, relating to the Excise, except Breaches of Duty in the Collectors or their Deputies, and where it is otherwise directed, shall be heard, adjudged, and determined, by any two or more Justices of the respective Counties where such Forfeitures shall be made, or Offences committed. And if the Party finds himself aggrieved by the Judgments given by the said Justices, he or the first entering into Bond with sufficient Sureties (such as the Justices by whom such Judgment shall be given, shall approve) with the following Condition, to wit, "The Condition of the above Obligation is such, That if the above bound

[Offenses against this Law, to be tried before any two Justices. If the Party be aggrieved, he may appeal to the County Court, first giving the Bond. The Condition of the Bond.]

shall and do prosecute the said Appeal with Effect, and also satisfy and pay to the Party suing or informing, the said Sums and Forfeitures by this Act laid and imposed, in Case the Judgment of the said Magistrates shall be affirmed, as well as all and singular such Costs and Charges, that shall be awarded by the Court before whom such Appeal shall be heard, tried, and determined; then the above Obligation to be void and of no Effect; else to remain in full Force and Virtue in Law," may appeal to the Justices of the Peace of the said County at the next County Court, to be held for the respective County where the Judgment shall be given, which Court is hereby impowered and authorized to hear and determine the same, and whose Judgment therein shall be final. Provided always, That no Justice who shall sit on the first hearing of any such Cause, shall sit to hear and determine the same Cause, in Case any such Appeal shall happen to be made therein. And the said Justices of the several Counties, within this Province, are hereby authorized and strictly enjoined and required, upon any Complaint or Information exhibited and brought of any such Forfeiture made, and Offence committed, contrary to this Act (except as before excepted), to summon the Party accused, and upon his or their Appearance, or Contempt, to proceed to examine Witnesses to the Matters of Fact, and upon due Proof thereof, either by Confession of the Party, or by the Oath, or Affirmation if a Quaker, of one or more credible Witnesses, to give Judgment or Sentence as before is directed, and to award and issue out Warrants, under their Hands and Seals, directed to the Sheriff of the County, for the levying of such Forfeitures, Penalties, and Fines, as by this Act are imposed for any such Offences committed, upon the Goods and Chattels of such Offender, and to cause Sale to be made of such

p. 228

[The Duty of Justices in Complaints of Offenses made against this Law.]

Liber H. S. Goods and Chattels (if they are not redeemed within five Days) rendering to the Parties the Overplus, if any be, the Charges of Distress and Sale being first deducted; and for Want of sufficient Distress, to imprison the Party offending 'til Satisfaction made.
No. 1

[Justices, &c. sued may plead the general Issue.] And be it further Enacted, That if the said Magistrate, Collector, or his Deputy, or any Constable, shall be sued and prosecuted for any Thing done by them in Pursuance of this Act, he or they may plead the general Issue, and give this Act and special Matter in Evidence, for his or their Justification.

[Encouragement of Persons distilling Liquors from Grain of the Growth of this Province.] And for Encouragement of Persons who shall distil Spirits from any Grain or Fruits of the Growth of this Province, Be it Enacted, That it shall be lawful to and for any Distiller in this Province, to sell to any Retailer or Retailers any Quantity of such Spirits of his own distilling, not less than five Gallons, to one Person, and to be delivered at one Time, making Entries thereof, within the Space of ten Days, with the Collector of the County where he resides, with the Retailer's Name and Place of Abode to whom sold, and Number of Gallons, and also, at the same Time, taking an Oath, or Affirmation if a Quaker, that the same Spirits by him sold, as aforesaid, were bona fide distilled in this Province, and as he is informed and verily believes, from Materials of the Growth or Produce thereof, and are clear of all Mixtures of Rum, or any other foreign Spirits whatsoever; and the said Retailer shall account for and pay the Duty thereof to the said Collector, pursuant to the Directions of this Act; any Thing herein to the contrary notwithstanding.

p. 229 [Penalty on Collectors retailing, &c.] Provided always, and be it Enacted, That the Collectors of the Excise aforesaid, or any of them, nor their or any of their Deputies, nor any Person or Persons to be appointed in their or any of their Places or Stead, shall, during their Continuance in their or any of their Offices, vend, barter, sell, exchange, or trade, by Retail, in any of the Liquors aforesaid, made exciseable by this Act, under the Penalty of Forty Pounds Current Money, to be recovered by Action of Debt, Bill, Plaint, or Information, by any Person who will sue for the same to Effect; one half thereof to the Use of the Person so suing, the other half thereof to be paid to the Commissioners or Trustees aforesaid, to be applied as herein after directed.

[Masters of Ships, &c. retailing, to enter their Names, &c. with the Collector: Penalty on neglecting.] And be it further Enacted, That every Master of any Ship, Sloop, or other Vessel, their Officers, Sailors, or any other Person for them, retailing or consuming any the Liquors aforesaid, within this Province, shall, and are hereby required to make the like Entries of any Payments for the Liquors by them retailed or consumed, as any other Retailer or Consumer in this Province, under Pain of incurring the like Penalties and Forfeitures as by this Act are before imposed on Retailers or Consumers for omitting to enter and pay as aforesaid, to be recovered in the same Manner as the said Penalties and Forfeitures are by this Act directed to be recovered against other Re-

tailers or Consumers of the Liquors aforesaid; and the Collectors and Deputies, as aforesaid, are hereby impowered, directed, and required, to enter into such Ships, Sloops, or other Vessels, to gauge or seize such Liquors in like Manner as he or they are impowered and required to enter, seize, or gauge, the Liquors in the Houses, Stores, Cellars, Vaults, Shops, or other Places, of any of the Retailers as aforesaid.

Liber H. S.
No. 1

And for the better collecting the several Duties and Impositions on the Liquors aforesaid, that now are, or hereafter shall be, in the Possession of any of the Inhabitants of or Residents in this Province, not being Retailers, and reserved for their own private Use and Consumption; Be it Enacted, That every House-keeper, Inhabitant or Resident, not being a Retailer, who hath in his House, Cellar, Vault, or other Place, any of the Liquors aforesaid, reserved as aforesaid, except Brandy, or other Spirits, made, distilled, or drawn from Grain, or Fruit, of the Growth and Produce of this Province, shall, and is hereby required, on or before the twentieth Day of June, in the Year One thousand seven hundred and fifty-six, to make a true and perfect Entry upon Oath, or Affirmation if a Quaker, with the Collector, or any Magistrate of the County where he shall be resident (a Certificate of which Entry the Magistrate is hereby required, as soon as may be, to send to the Collector of each respective County) to the best of his Knowledge, of the Quantity of the said Rum, Wine or Spirits, which, at the Time of making such Entry, shall be in his Possession, and reserved as aforesaid; and every such House-keeper, Inhabitant and Resident, shall, and he is hereby required to account with upon Oath, and pay to the said Collectors, or their Deputies respectively, at or within one Month after Michaelmas and Lady-Day, yearly, for so much as he shall have consumed, all and every the Duties, Rates, and Impositions above laid on the Liquors in his Possession, and entered with the Collector or Magistrate as above, such Collector making an Allowance of Fifteen per Centum for Leakage, on all Liquors in Cask, and not Bottled, which shall be so entered.

[House-keepers, &c. not being Retailers, their Duty.]

p. 230

And be it further Enacted, That when and as often as any such House-keeper, Inhabitant or Resident, shall, after the twentieth Day of June next, purchase, or take into his, her, or their House, Cellar, Vault, or other Place, or reserve, or lay by, any further or other Quantity of Wine, Rum, or other Spirits, except as before excepted; and except Liquors purchased from any Retailers, under the Quantities herein before limited, for his, her, or their own private Use or Consumption, he, she, or they shall, within one Month after purchasing or receiving such Wine, Rum, or other Spirits, into his, her, or their House, Cellar, Vault, or other Place, or reserving, or laying by as aforesaid, for the Use aforesaid, make true and perfect Entry on Oath, or Affirmation if a Quaker, of the Quantity of all such

[House-keepers &c. who, after the 20th of June, shall purchase any Wine, Rum, &c. except Liquors purchased from Retailers, &c. shall make true Entries on Oath and pay the Duty within one Month.]

Liber H. S. Wine, Rum, and other Spirits, so bought and received, or reserved
 No. 1 and laid by, and shall, within one Month after such Entry made, pay unto the Collector of the County where he, she, or they reside, or his Deputies, for such Wines, Rum, and other Spirits, the several Rates and Duties directed by this Act, such Collector making Allowance for Leakage, as aforesaid.

p. 231 And be it further Enacted, That if any Person or Persons whatsoever, not being a Retailer or Retailers, shall, after the twentieth
 [Penalty on Persons, not Day of June aforesaid, presume to consume, or make use of, in any
 being Retailers, Manner whatsoever, any Rum, Wine, or other Spirits as aforesaid, consuming any Wine, without first having made such Entry on Oath, or Affirmation if a
 &c. except Quaker, or shall not account and pay as aforesaid, for such Liquors, &c. without or shall thereafter purchase, or bring into his, her, or their House, having first entered their Cellar, Vault, or Store, or reserve, or lay by, as aforesaid, for the Names, &c.] Use aforesaid, any Quantities of the said Liquors, except as before excepted, and shall not, within one Month thereafter, make Entry on Oath, or Affirmation if a Quaker, as aforesaid, of the Quantity of such Liquors, and pay the Duty thereon, as aforesaid; such Person or Persons so offending, shall forfeit and pay the Sum of Twenty Pounds Current Money, to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed, nor more than one Imparlance.

Provided always, and be it Enacted, by the Authority aforesaid, That every House-keeper or Resident, not being a Retailer, who shall
 [House-keepers, not being Re-tailers, who shall not choose to make Entry, may pay 20 s. half yearly, in Lieu of the Duties.] not choose to make Entry, account for, and pay to the said Collector the Duties aforesaid, in Manner aforesaid, shall and may pay to the said Collector, half yearly, at Lady-Day and Michaelmas, the Sum of Twenty Shillings Current Money, in Lieu of the said Duties; and in Default thereof, the said Collector shall collect and levy the said Sum, in Manner and Form as by this Act is before directed, in Case of Retailers neglecting or refusing to pay the Duty aforesaid, by the Space of ten Days after the same ought to be paid.

And whereas the Duty of two Pence per Gallon on all Madeira Wine imported into this Province, by an Act of Assembly, entitled, An Act for his Majesty's Service, made at a Session of Assembly, begun and held at the City of Annapolis, the seventeenth Day of July, Seventeen hundred and fifty-four, is directed to be paid and applied towards replacing the Sum of six Thousand Pounds, by that Act directed to be delivered and paid out by the Commissioners for emitting Bills of Credit, established by Act of Assembly, which Duty of Two Pence per Gallon by this Act is taken off, by Means whereof the said Sum of Six Thousand Pounds will not be repaid and replaced so soon as by the said Act was intended:

[2d per Gallon, Part of the 6d. by this Act imposed on Madeira Wine, to be applied towards replacing the Sum of 6000 l. before granted; and after to be applied towards replacing the 40,000 l.] Be in therefore Enacted, That the Sum of Two Pence per Gallon, Part of the Six Pence per Gallon, by this Act imposed on all Madeira Wine hereafter to be imported, which shall be retailed or consumed,

shall, by the several Collectors of Excise, established by this Act, be paid to the said Commissioners, to be by them applied towards replacing the said Sum of Six Thousand Pounds, until the said Sum of Six Thousand Pounds is repaid and replaced, by the Rates and Duties by the aforesaid Act imposed; and that thereafter the whole Duty of Six Pence, on all Madeira Wine, as aforesaid, shall be paid and applied as by this Act is before directed.

Liber H. S.
No. 1

p. 232

And be it further Enacted, That so much of the said Act as relates to the Imposing a Duty on all Madeira Wine, to be imported into this Province, shall be, and is hereby repealed and utterly made null and void.

[Part of the
6000 l. Law
repealed.]

Forasmuch as Divine Institutions ought to be strictly observed in every well-regulated Government, and as that in Regard to the entering into the holy Estate of Matrimony may tend to the more orderly Propagation of Mankind, it ought, not only in a religious, but political View, to be promoted, and the continuing in a State of Celibacy discountenanced, especially in every Infant Country: And as the Rank of Men called Batchelors are not burthened with the Charge and Expence that usually attends a Matrimonial Condition, they may be better enabled to contribute a larger Tax towards the Support of the Community:

Be it therefore Enacted, That the Rector, Vestrymen, and Church-Wardens of each respective Parish, or the Majority of them, are hereby required to meet at their respective Parish Churches yearly, on the second Tuesday in July, and having first taken the following Oath, to wit, "I A. B. will, according to the best of my Knowledge and Judgment, set down and make a List of such Batchelors in

[Vestries
yearly to
make out
Lists of
Batchelors
in their
Parishes.]

Parish, as are of the Age of Twenty-five Years and upwards, and have in Possession, in their own Right, an Estate of One Hundred Pounds, or upwards," to make a List of all the Batchelors within such Parish respectively, who are in their Estimation of the Age of Twenty-five Years or upwards, and have in Possession, in their own Right, an Estate of One Hundred Pounds Current Money and upwards, particularly mentioning in such List the Name, Place of Abode, and Value of the Estate of every such Batchelor, which List shall be by the Register of each Parish, who is hereby obliged to be present at the meeting aforesaid, entered on the Register-Book thereof, and one fair Copy thereof delivered by him to the Collector of Excise of the County, and another to the Sheriff, within five Days after such meeting; which Sheriff shall transmit the same, within thirty Days after such Delivery, to the Commissioners of the Loan-Office. And the said Collector is hereby authorized and required to demand and receive in the same Manner, as in this Act is before directed, as to the Duties on Liquors retailed or consumed,

p. 233

Liber H. S. of and from every Batchelor in such List mentioned, whose Estate
 No. 1 is set down therein of the Value of One Hundred Pounds Currency
 [Batchelors of 25 years or upwards, and under Three Hundred Pounds, the Sum of Five
 of Age to Shillings Current Money; and of and from every Batchelor, whose
 pay 5 s. per Estate is set down of the Value of Three Hundred Pounds or up-
 Year, if wards, the Sum of Twenty Shillings Current Money. And if any
 worth 100 l. such Batchelor shall not pay the Tax aforesaid, agreeable to the
 or 20 s. if Valuation aforesaid, by the Tenth Day of August this present
 worth 300 l.] Year, and on the Tenth Day of August in every Year thereafter, so
 long as he shall continue in that Estate, then the Collector aforesaid
 is hereby impowered and required, of the Goods and Chattels of the
 said Batchelor, forthwith to make and levy the same. And every
 Collector is hereby obliged to render an Account of, and pay to the
 Commissioners or Trustees aforesaid, all such Sums of Money as
 he shall receive on Account of the Taxes on Batchelors aforesaid,
 by the Twenty-ninth Day of September yearly, retaining in his Hands
 a Salary of Five Pounds per Cent; and his Bond for the Performance
 of his Duty, as Collector of the Duties on Liquors, shall be liable
 for any Breeches of his Duty as to the Taxes on Batchelors aforesaid.

[Penalty on Vestries for Neglect.] And be it further Enacted, That every Rector, Vestryman, or
 Church-Warden, who shall neglect or refuse to make a List of
 Batchelors, as aforesaid, and every Register of a Parish who shall
 neglect to deliver Copies of the List of Batchelors to the Collectors
 or Sheriff, as aforesaid, and every Sheriff who shall neglect to
 transmit such List to the Commissioners or Trutsees, as aforesaid,
 shall forfeit and pay the Sum of Five Pounds Current Money for
 every such Neglect, to be recovered in the County Court where
 such Rector, Vestrymen, and Church-Wardens, Register or Sheriff,
 shall reside, by Action of Debt, Bill, Plaint, or Information, wherein
 no Essoin, Protection, or Wager of Law, or more than one Impar-
 lance, shall be allowed; the one Half to the Informer, or him, her,
 or them, who shall sue for the same, and the other Half to be
 applied as herein after directed.

p. 234 Provided always, and be it further Enacted, That any Batchelor
 [Proviso, in Case of Under-Age.] who shall, by legal Testimony produced to the Vestry of the Parish
 wherein he shall reside, at the next meeting after the making of such
 Lists, make appear that he is under the Age of Twenty-five Years,
 or by an Inventory, on Oath, of the whole Estate, real and personal,
 which he hath in Possession, in his own Right, satisfy such Vestry
 that his Estate is under the Value set down in the List aforesaid,
 then the said Vestry shall give such Batchelor a Certificate of the
 same, which being shewn to the said Collector, shall be a sufficient
 Discharge from such Tax, as aforesaid, for that Year.

And be it further Enacted, That for every Billiard-Table belonging to or kept by any Inhabitant of this Province, there shall be paid by the respective Owners or Keepers thereof, for this present and every Year hereafter, during the Continuance of this Act, the Sum of Three Pounds Current Money, in Bills of Credit, as aforesaid. And for the better collecting the said Tax of Three Pounds on every Billiard-Table, as aforesaid, Be it Enacted, That the several Constables of Hundreds, in every County, within this Province, shall, and they are hereby directed and required yearly and every Year, during the Continuance of this Act, by the Time limited by Law for taking Lists of Taxables, to require and take an Account of all Billiard-Tables in their respective Hundreds, under the Hand of the Owner or Keeper thereof, and a fair List of all such Billiard-Tables shall, for this present Year, within ten Days after taking the same, deliver to the Clerks of each respective County, and for every Year hereafter, during the Continuance of this Act, a fair List as aforesaid, shall return to the August Court of their respective Counties, from which Lists, so delivered for this present Year, the several and respective Clerks shall immediately make out two fair Lists, one thereof to be by the said Clerk immediately delivered to the Sheriff of each respective County, the other to be transmitted by him to the Commissioners or Trustees, established by Act of Assembly, for emitting Bills of Credit; and for every Year hereafter, during the Continuance of this Act, the said Clerks respectively shall, and they are hereby obliged, at the End of each Court, to which such Lists are returned, to make out therefrom two fair Lists of all such Billiard-Tables, to be delivered and transmitted as aforesaid, under the Penalty of Ten Pounds Current Money, for every Neglect or Omission to make out and deliver or transmit such Lists as aforesaid, one Half thereof to the Informer, or him or them who shall sue for the same, the other Half to be paid to the Commissioners aforesaid, and applied as herein after directed, to be recovered in any Court of Record within this Province, by Action of Debt, Bill, Plaint, or Information, with Costs, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

Liber H. S.
No. 1
[3 l. a Piece
to be paid
yearly for
each Billiard
Table.]

p. 235

And be it further Enacted, That the several Sheriffs within this Province, shall, and they are hereby impowered and directed to collect and receive the Tax aforesaid, from all and every Owner or Keeper of any such Billiard-Table, in Bills of Credit as aforesaid, in the same Manner as the County Levy is collected, and shall pay the same, together with all Fines and Forfeitures, which he shall receive in Virtue of this Act, to the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, at or before the twentieth Day of October next, and so yearly and every Year, during the Continuance of this Act; on which Collection and Payment, the

[To be collected by the Sheriffs.]

Liber H. S. said Sheriffs shall and may retain to their own Use a Commission of
 No. 1 Two Pounds Ten Shillings per Cent. which said Tax, and all Fines and Forfeitures in Virtue of this Act, paid to the Commissioners aforesaid, shall be by them retained, to be destroyed as herein is directed.

[Penalty on the Owners of Billiard-Tables, for refusing to give Account.] And be it further Enacted, That every Owner or Keeper of a Billiard-Table, who shall refuse or neglect, on Demand of the Constable, to give under his Hand an Account thereof, such Owner or Keeper, so refusing or neglecting, shall forfeit and pay the Sum of Five Pounds Current Money, as aforesaid, to be recovered in a summary Way, before any Justice of the Peace of the County where such Offence shall happen; and every Constable, who shall omit or neglect to take and return an Account or List, as aforesaid, of every such Billiard-Table, shall forfeit and pay for every such Billiard-Table, so omitted or neglected to be returned, the Sum of Five Pounds Current Money, as aforesaid, to be recovered in a summary Way as aforesaid; and every Justice of the Peace, before whom such Convictions shall happen, shall, and is hereby authorized and required to receive the same Fines, and to make Payment thereof to the Sheriff of his respective County, and take his Receipt for the same, and shall transmit to the Commissioners or Trustees aforesaid, at or before the twentieth Day of October yearly, a List under his Hand of all Fines, so by him received, and what Commitments he has made for Non-payment. And in Case Judgment shall be given by such Justice against such Offender, and the said Fines shall not be immediately paid, such Justice is hereby required to commit the said Offender into the Custody of the Sheriff, there to remain until he shall pay and satisfy the same, with Costs.

p. 236

[40 s. a Piece to be paid for all Horses, &c. brought from other Governments.] And be it further Enacted, That from and after the End of this Session of Assembly, it shall not be lawful for any Person or Persons whatsoever, either residing or coming and trading within this Province, to sell, barter, or exchange, any Horse, Mare, Colt, or Gelding, brought from any other Colony into this Province, without first having entered the same with the Clerk of the County, into which such Person or Persons shall first bring such Horse, Mare, Colt, or Gelding, and paid to the said Clerk for every such Horse, Mare, Colt, or Gelding, the Sum of Forty Shillings Current Money, in Bills of Credit, established by this or any former Act of Assembly of this Province; and the Clerk, with whom such Entry is made, as aforesaid, shall, and is hereby obliged to give to the Person or Persons, making the same, a Certificate under his Hand and the Seal of the County, of such Entry and Payment, expressing therein the Number of Horses, Mares, Colts, or Geldings, so entered, and describing as nearly as may be, the natural and artificial Marks of the said Horses, Mares, Colts or Geldings; for which Certificate, such

Person or Persons shall, and they are hereby obliged to pay unto the said Clerk, the Sum of Two Shillings and Six Pence Current Money. Liber H. S.
No. 1

And be it further Enacted, That every Master of a Vessel or other Person, importing into this Province, by Water, except from Great-Britain, any Horse, Mare, Colt, or Gelding, shall, and is hereby obliged to enter the same with the Naval Officer of the Port where such Vessel shall be entered, and pay unto such Naval Officer the Duty, as aforesaid, for each Horse, Mare, Colt, or Gelding, so imported; and the said Naval Officer shall give unto such Master of a Vessel or other Person, a Permit for the Sale of such Horse, Mare, Colt, or Gelding. [If brought
by Water to
be entered
with the
Naval
Officer.]

And be it likewise Enacted, That if, after the End of this Session of Assembly, any Person or Persons whatsoever, shall be found travelling with any Horse, Mare, Colt, or Gelding, or Horses, Mares, Colts, or Geldings, brought from any other Colony into this Province, to be sold, bartered, or exchanged, without a Certificate as aforesaid, or any Master of a Vessel or other Person, importing any Horse, Mare, Colt, or Gelding, as aforesaid, shall be found offering to sell, barter, or exchange, the same, without having first obtained a Permit as aforesaid, all and every such Person and Persons shall forfeit and pay the Sum of Five Pounds current Money, as aforesaid, for every Horse, Mare, Colt, or Gelding, so offered to be sold, bartered, or exchanged; one Half to the Informer, or him or them that shall sue for the same; the other Half to be paid to the Commissioners or Trustees aforesaid, and applied as herein after directed; to be recovered before one Magistrate in a summary Manner. p. 237
[Penalty for
selling with-
out a Cer-
tificate or
Permit.]

And whereas it is convenient for the Collection of the Land-Tax, that his Lordship's Rent-Roll-Keeper should deliver Copies of the Rent-Rolls to the several Receivers and Collectors of the Tax in the several Counties, in this Province, for the ascertaining the Quantity of Lands in each County, wherein such Tax is laid; we therefore pray that it may be enacted,

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons holding any Tract or Parcel of Land, within this Province, in an Estate of Freehold at the least, shall, and he, she, or they, are hereby directed and required to pay to the Receiver or Collector of the Right Honourable the Lord Proprietary his Quit-Rents, for the Time being, for the County where such Lands lie, yearly and every Year, during the Continuance of this Act; by even and equal Portions, at Michaelmas and Lady-Day the first Payment whereof to begin and be made on or before the twenty-ninth Day of September next ensuing the Sum of One Shilling Current Money for every Hundred Acres and so in Proportion for a greater or less Quantity for which such Person or Persons is or are charged on the Debt-Book or Debt-Books for Quit-Rents, delivered [A Land-
Tax of 1 s.
on each
Hundred
Acres.]

Liber H. S. No. 1 or to be delivered by the Rent-Roll-Keepers to such Receiver or Collector, or which he shall discover, and for all which such Person or Persons is or are liable to pay Quit-Rents: And that all Papists, or reputed Papists, of the Age of eighteen Years or upwards, holding Land as aforesaid, who shall refuse or neglect to take the several Oaths to the Government, and sign the Oath of Abjuration and the Test, now by Law established, being tendered to him, her, or them, by the said Receiver or Collector who is hereby impowered and directed to offer and administer the same shall pay to the said Receiver or Collector, by even and equal Portions, on Michaelmas and Lady-Day aforesaid, the further Sum of One Shilling Current Money for every Hundred Acres and so in Proportion for a greater or lesser Quantity charged or discovered, and liable to be paid Quit-Rents for as aforesaid. And in Case of Default in Payment of the said Taxes, at or before the respective Times aforesaid, it shall and may be lawful to and for such Receiver or Collector, and he is hereby directed and required forthwith to proceed to the Recovery thereof, by such Ways and Means as he legally may or ought to proceed by for Recovery of his Lordship's Quit-Rents; and further it shall and may be lawful for the said Receiver or Collector to seize any Goods or Chattels of such Defaulter or Defaulters wherever found, within his County, and the same to dispose of as in Case of Distresses.

[On Papists Land a Tax of 2 s. per Hundred.]
p. 238

[In Case of Default, to be recovered by legal Distraint.]

And be it further Enacted by the Authority aforesaid, That when any Person or Persons shall hold Lands in an Estate of Freehold at the least, in any other Country, than where he, she, or they, shall reside, the Receiver or Collector of the Land-Tax aforesaid of the County where such Lands lie, shall, in Case no Goods or Chattels of such Person or Persons are to be found within such County, sufficient to answer the Taxes aforesaid, and he is, in every such Case, hereby directed and required to transmit to the Receiver or Collector of the Land-Tax of the County where such Person or Persons shall reside, a Minute in Writing, containing the Name or Names of the Person or Persons, and of the Land, the Quantity of Acres, and the Sum Total of the Tax thereon arising, the Receiver or Collector transmitting such Particulars, thereto signing his Name, and expressing the County whereof he is Receiver or Collector; and every Receiver or Collector, to whom the Particulars before-mentioned shall be, as aforesaid, transmitted, shall, and he is hereby obliged and required forthwith to receive or levy the same, in the Manner by the last preceding Clause directed, having first demanded the said Tax. And whereas it is highly just and reasonable that wherever any Tenant's Goods or Chattels shall be distrained for the Land-Tax, by Virtue of this Act imposed, such Tenant should be impowered to indemnify himself against such Tax: Be it Enacted,

[In Case the Owners of Lands live in other Countries.]

by the Authority aforesaid, That whatever Sum or Sums of Money any Tenant shall pay by Way of Land-Tax, by Virtue of this Act, such Tenant shall and may, and he is hereby authorized and empowered to retain in his own Hands such Sum or Sums of Money, and the Costs and Charges which may arise on any Distress for the same, or the Value thereof, out of such Money or other Effects as he, she, or they, is or are by Lease or other Contract obliged to pay for the Use and Occupation of such Lands; any Thing in such Lease or other Contract, or herein before contained, to the contrary thereof, in any wise, notwithstanding.

Liber H. S.
No. 1
p. 239

And be it further Enacted, by the Authority aforesaid, That each Receiver or Collector of the Land-Tax aforesaid, shall, and he is hereby obliged, on or before the Twenty-fifth Day of June, and the Twenty-fifth Day of December, in every Year, to render to the Rent-Roll-Keeper of the respective Shore, an Account of his Collection of the said Land-Tax for the preceding half Year, in such Manner, Method, and Form, as he shall be, by Writing, under the Hand of the said Rent-Roll-Keeper, directed; and if the said Rent-Roll-Keeper shall not, within Two Months after the End of this Session of Assembly, deliver to the said Receiver or Collector, and in Case of any future Appointment of a new Receiver or Collector, within one Month after he shall proceed to the Execution of his Office, deliver to such Receiver or Collector such Directions as aforesaid, then, and in such Cases, the said Receiver or Collector shall render his said Account, by the respective Times aforesaid, in the best Method and Form he is capable of, giving the most clear and satisfactory Reasons for the Non-payment of such Part of the said Taxes, as he may crave to be allowed for, that the Nature and Circumstances of the Thing will admit of, and the said Rent-Roll-Keeper, upon any such Accounts as aforesaid, being laid before him, shall, and he is hereby obliged, immediately (with the said Receiver or Collector) to proceed to examine, adjust, and settle the same, allowing him as a Salary at the Rate of Ten Pounds per Cent. on the Sum for which he is made answerable on final Settlement of such Account, and thereupon two fair Accounts shall be mutually signed, by the said Rent-Roll-Keeper, and Collector, or Receiver, one whereof shall remain in the Hands of the said Rent-Roll-Keeper, and the other shall be by him, within ten Days after such final Settlement, transmitted to the Commissioners or Trustees aforesaid, and a Copy of such Account, signed by the said Rent-Roll-Keeper, shall be delivered to the said Receiver or Collector, provided he will draw off the same, and the said Receiver or Collector is hereby required and obliged, within Thirty Days after the final Settlement of his Account as aforesaid, to pay to the Commissioners or Trustees aforesaid, the Ballance due thereon.

[Receivers
of the Land-
Tax to
account in
June and
December,
with the
Rent-Roll-
Keeper.]

Liber H. S. And be it further Enacted, That the said Commissioners or Trustees shall, out of the Monies arising by the said Land-Tax, pay unto the said Rent-Roll-Keepers respectively, or their Order or Orders, as a Salary for their Care and Trouble in examining, adjusting, and transmitting the said Accounts, as the Rate of Two Pounds Ten Shillings per Cent. on the Amount of the nett Ballances thereof due to the Province; and in Case the said Rent-Roll-Keeper, and Receiver or Collector, should disagree about the Settlement of any of the said Accounts, then an Account stated by the said Rent-Roll-Keeper, in such Manner as in his Judgment the said Receiver or Collector ought to be answerable, shall, by him be transmitted to the said Commissioners or Trustees, within ten Days after such Disagreement; and the said Receiver or Collector shall, within twenty Days thereafter, pay to the said Commissioners or Trustees, who are hereby obliged to settle the same, such Ballance as to them shall appear just, allowing a Salary of Ten Pounds per Cent. as aforesaid, and the said Rent-Roll-Keeper shall be paid his Salary aforesaid thereon, as aforesaid.

[Particular Lists to be made of Papists Lands.] And be it further Enacted, That the said Receivers or Collectors shall, and they are hereby obliged to deliver to the said Rent-Roll-Keepers respectively, with each and every of their Accounts aforesaid, a clear and distinct Account of all Lands, with their Names and Quantities, held by Papists, or reputed Papists, and by whom, within each respective County; which Accounts shall by the said Rent-Roll-Keepers respectively be transmitted to the Commissioners or Trustees aforesaid, with the Accounts aforesaid.

[Receivers not paying their Bonds to be put in Suit.] And be it further Enacted, That in Case any Receiver or Collector of the Land-Tax aforesaid, shall not pay the Ballance due on any of his Accounts, within the Times aforesaid, after Settlement as aforesaid, the said Commissioners or Trustees are hereby strictly enjoined and required immediately to put such Receiver or Collector's Bond in Suit for the same. And if any Rent-Roll-Keeper shall refuse or delay, upon any Receiver or Collector his rendering to or laying before him such Accounts, as aforesaid, to proceed with him on the Settlement thereof, as aforesaid, or when finally settled, or in Case of Disagreement in the Settlement, shall neglect to transmit such Accounts as aforesaid, by the Time before for that Purpose directed, to the Commissioners or Trustees aforesaid, he shall forfeit and pay, for every such Refusal, Delay, or Neglect, the Sum of Five Pounds Current Money; to be recovered by Action of Debt, Bill, Complaint, or Information, wherein no Essoin, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed; one half thereof to the Informer, or him or them that will sue for the same to Effect; the other half to be paid to the Commissioners or Trustees aforesaid, and to be by them applied as herein after directed.

And be it further Enacted, That every Guardian or other Person or Persons, who shall hold Lands in Behalf of or possess Lands belonging to a Minor, shall pay the Tax aforesaid thereon at the Days of Payment aforesaid, or in Default be treated, or his Goods and Chattels seized and disposed of, as before herein directed, in Case he, she, or they, had held or possessed such Lands in his, her, or their own Right as aforesaid, which Tax so paid, such Guardian shall deduct out of the annual Value of such Orphan's Estate.

Liber H. S.
No. 1
[Minors
Lands.]

p. 211

Provided always, That nothing herein contained shall be construed to extend to those unhappy People, who already have been or hereafter shall be obliged to desert their Settlements in Frederick County, through Fear of the French or their Indian Allies; but that they shall stand excused from Payment of the Land-Tax aforesaid of the Lands so deserted, during the Time of such Desertion.

[Lands
deserted, not
to be tax'd.]

And be it further Enacted, That the several and respective Receivers or Collectors of the Land-Taxes aforesaid, before he or they proceed to the execution of his Trust, under this Act, shall enter into Bond, with good and sufficient Securities, in the Sum of Two Hundred Pounds Current Money, to the Right Honourable the Lord Proprietary, before one Provincial Justice, or two Justices of the County Court, with Conditions to the same Bonds as follows: "The Condition of the above Obligation is such, That if the above bounden

[Receivers
of the Land-
Tax, to give
Security.]

whilst he shall continue in the Office of Receiver or Collector of the Land-Tax in County, shall well and faithfully execute and perform the several Duties required of him to be performed by the Act of Assembly of this Province, entitled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof, in Bills of Credit, and raising a Fund for sinking the same, and do well and faithfully pay to the Commissioners of the Loan-Office, for the Time being, the several Sums of Money which he shall receive or be answerable for, in Virtue of the same Act, at such Times as by the said Act is directed, according to the true Intent and Meaning thereof, then the above Obligation to be void, and of no Effect; otherwise to remain in full Force and Virtue:" Which Bond, so entered into and taken by the said Justice or Justices, he or they shall immediately call before him or them the Witnesses to said Bond or Bonds, and cause a Probate thereof to be made before him or them, which he or they shall endorse on the Back of the said Bond or Bonds, and shall immediately transmit the said Bond or Bonds to the Clerk of the Provincial Court, who shall forthwith record the same in the Provincial Land Records; and after Entry thereof upon Record, the original Bond is to be immediately lodged with the Clerk of the Council, who is hereby required to take charge of the same; and an attested Copy of the said Bond and Probate from the said Pro-

[Condition
of their
Bond.]

hereby directed, after having received from all and every the Tenants of the said Manors, and leased Lands, their several and respective Parts of the said Tax, to make out and lay before the said Agent, or Receiver-General, a full and exact Account of all such Sums of Money, and by whom paid, as he shall have received from the said Tenants, in Virtue of this Act arising due on the said Lands, charging in the said Account, the whole Amount of the said Tax arising due on the whole Quantity of Acres, of all such Manors, and leased Lands; and if it appears on the said Account, that the whole Amount of the said Tax, as aforesaid, has not been collected and raised from the several Tenants of the said Manors and leased Lands, that then his Lordship's Agent, or Receiver-General, for the Time being shall, and he is hereby required to pay out of any Money which he shall or may have in his Hands of the Lord Proprietary's, unto the said several Receivers, or Collectors, such further Sums of Money as shall appear, by the said Account, to remain unpaid on the said Manors and leased Lands, and all Monies which the said Receiver or Collector shall so receive on Account of the said Tax, on the Lord Proprietary his Manors, he shall account for, in the same Manner as before directed for Monies received on Account of the Tax on other Lands.

Liber H. S.
No. 1

And be it further Enacted, That if his Lordship's Agent, or Receiver-General, or any Person or Persons, who are or shall be any Way impowered to receive or collect the said Rents or annual Payments, reserved on such leased or demised Lands, shall distrain for, molest, or vex, any such Tenant so paying as aforesaid, for any Sum or Sums of Money, which by the true Intent and Meaning of this Act, ought to be allowed, or shall refuse, neglect, or delay, to allow and discharge the same in the proper Accounts, wherein the same ought to be allowed or discharged, that then, and for every such Offence, every such Agent or Receiver-General, or Person, as aforesaid, shall forfeit the Sum of Ten Pounds Current Money to the Party grieved; to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

[Distrain
for Rents on
leased
Lands, how
remedied.]

And forasmuch as divers Persons do take out Warrants, and survey great Quantities of vacant Lands, within this Province, and enter into and occupy the same, and yet nevertheless delay to take out Patents thereon; and it is thought reasonable that such Persons should, on this Occasion, pay their proportionable Part of the Tax herein imposed on real Estates:

[Vacant
Lands.]

p. 244

Be it therefore hereby Enacted, That each and every Deputy-Surveyors of the several and respective Counties in this Province, shall make out twice in each Year, to wit, on the twenty-fifth Day of June and on the twenty-fifth Day of December, two distinct Lists of all Surveys of vacant Lands which they shall make in their respec-

[Deputy-
Surveyors
to make out
Lists twice
in a Year.]

Liber H. S. tive Counties, during the Continuance of this Act, with the Persons
 No. 1 Names taking up such Lands, and the Number of Acres contained
 in each Survey, with the Name thereof, and shall, from Time to
 Time, return one of the said Lists to the Receiver or Collector of
 the Land-Tax aforesaid of the County where such Survey shall be
 made, and the other to the Commissioners or Trustees of the Loan-
 Office, for the Time being; and such Person or Persons, taking up
 such Lands, shall be, and are hereby obliged to pay to the Receiver
 or Collector of the Land-Tax aforesaid of the County, to whom such
 List is returned, a Tax of One Shilling, by even and equal Portions,
 on Michaelmas and Lady-Day aforesaid, for every such Survey con-
 taining One Hundred Acres, and at the same Rate for a greater or
 less Number of Acres. And the Receivers or Collectors aforesaid
 of the several and respective Counties are hereby obliged and
 required to collect and levy the same in the same Manner as is before
 in this Act directed as to other Lands.

[Duty laid on sundry Writs, issued out of the Courts.] And be it further Enacted, That all and every the Writs hereafter
 mentioned, which, from and after the first Day of June next, shall
 be issued out of any of the Courts in this Province, and on every
 Appeal prayed in any of the said Courts, before the Clerks of the
 same Courts shall deliver out of his or their Offices any of the said
 Writs, and before such Appeal shall be entered of Record, there
 shall be paid by the Person or Persons suing out such Writ, or
 praying such Appeal, to the Clerk of the same Court who shall issue
 such Writ, or where such Appeal shall be prayed, the several and
 respective Rates and Duties following, to wit, For every Appeal
 prayed, or Writ of Error, Habeas Corpus, or Certiorari, sued out, the
 Sum of Two Shillings and Six Pence Current Money: For every
 Writ of Entry sur disseisin en le Post, sued out, the Sum of Five
 Shillings Current Money; For every original Writ, issuing out of
 the Court of Chancery, except Writs of Entry, One Shilling Cur-
 rent Money: For every Subpoena, issuing out of the Court of
 Chancery, One Shilling Current Money: For every Capias ad re-
 spondendum, in Civil Actions, issuing out of the Provincial Court,
 One Shilling Current Money: For every Capias ad respondendum,
 in Civil Actions, issuing out of the County Courts, Six Pence Cur-
 rent Money: And for every Citation, issuing out of the Prerogative
 Court, One Shilling Current Money.

[On Conveyances, Leases, &c.] And be it further Enacted, That on all and every Indenture, Con-
 veyance, Lease, or Deed-Poll, which shall, after the first Day of
 June next, be delivered to the Clerk of the Provincial Court, or to
 any of the Clerks of the County Courts, within this Province, for
 the Time being, to be recorded, there shall be paid by the Person or
 Persons requiring the same to be recorded, to the Clerk of the same
 Court, to whom the same shall be delivered, before he shall record

the same, the Duty of One Shilling, in Bills of Credit; and the several and respective Clerks aforesaid, are hereby obliged and required to take and receive the same.

Liber H. S.
No. 1

And be it further Enacted, That all and every Charter-party, Bond, Bill, or other obligatory Instrument, under the Seal of the Party, except those taken in the Loan-Office, and all and every Protest or other notorial Act, and Letter of Attorney, which shall, after the twentieth Day of June next, be made in this Province, shall be made and wrote on Paper or Parchment, which, before the writing thereon, shall be stamped by some County Clerk, within this Province, with the Seal of the Court whereof he is Clerk, and whereon such Clerk hath wrote "Duty paid," and signed his Name; for each and every of which Stamps and Certificates, the Person or Persons requiring the same, shall pay unto the same Clerk the Sum of Six Pence, in Bills of Credit, to and for the Uses in this Act mentioned.

[On Charter-parties, Bonds, Bills, and other obligatory Instruments under Seal.]

And be it further Enacted, That the several and respective County Clerks, within this Province, for the Time being, shall be, and are hereby obliged and directed, upon Application to him or them made, and Payment of Six Pence, in Bills of Credit, for each Seal and Certificate as aforesaid, to stamp with his or their respective County Seals as many Sheets and Pieces of Parchment and Paper as shall be required; and shall and are hereby obliged and directed to receive and take for each Seal and Certificate the aforesaid Sum of Six Pence, in Bills of Credit, to and for the Uses in this Act mentioned.

[County Clerks obliged to stamp Paper for Instruments.]

And be it further Enacted, That all and every Charter-Party, Bill, Bond, or other obligatory Instrument, under the Seal of the Party, and all and every Protest or other notorial Act, and Letter of Attorney, which shall, after the twentieth Day of June next, be made in this Province, and shall be wrote on any Parchment or Paper, which, at the Time of the making and executing thereof, shall not be stamped and certified in Manner aforesaid, by some County Clerk in this Province, shall be utterly void, and of no Effect, and shall not be pleadable or admitted in Evidence in any Court in this Province, or before any Magistrate; any Law, Usage, or Custom, to the contrary, notwithstanding.

[Bonds, &c. not pleadable except they are stamp'd.]

And be it further Enacted, That all and every the several and respective Clerks of the several and respective Courts aforesaid, for the Time being, during the Continuance of this Act, who shall deliver out of his or their Office or Offices any of the Writs aforesaid, or record any Indenture, Conveyance, Lease, or Deed-Poll, before the Duty aforesaid thereon hath been paid, such Clerk or Clerks shall be liable to, and obliged to pay all such Duties, which he or they hath or have so neglected to receive.

p. 246

[Clerks not to issue Writs, or make Records, unless seal'd.]

Liber H. S. No. 1
[Clerks to deliver
Accounts,
twice a year,
upon Oath,
into the
Loan-
Office.] And be it further Enacted, That the several and respective Clerks of the several and respective Courts aforesaid, for the Time being, shall, and are hereby obliged and required twice in each Year, during the Continuance of this Act, to make out upon Oath true and distinct Accounts of all the Moneys he shall receive by Virtue of this Act, and the same Accounts, so made out, shall return under their Hands to the Commissioners of the Loan-Office, for the Time being, on the twenty-fifth Day of July and the twenty-fifth Day of February, in each Year; and shall account with and pay unto the said Commissioners of the Loan-Office, from Time to Time, all such Sums of Money which they shall respectively receive by Virtue of this Act, retaining to his and their own Use a Commission of Two Pounds Ten Shillings per Centum, and no more, which shall be in full for all the Services aforesaid. And the Commissioners of the Loan-Office, for the Time being, shall, and are hereby directed and required to keep separate and distinct Accounts of all such Sums of Money, which they, from Time to Time, shall receive by Virtue of this Act.

[Their
Allowance.]

[Their
Securities
answerable.]

p. 247

[Some
Clauses in a
former Act
continued.]

And be it further Enacted, That the several Clauses mentioned and contained in an Act of Assembly of this Province, entitled, An Act for his Majesty's Service, made at a Session of Assembly, begun and held at the City of Annapolis, the seventeenth Day of July, One thousand seven hundred and fifty-four, relating to the several Duties, Licence-Money, Fines and Forfeitures, therein mentioned, and the Recovery thereof, except the Parts thereof relating to the Duty on Servants imported for the Term of seven Years or upwards, and also except such Part or Parts thereof as are by this Act repealed, and also the several Parts of the Acts of Assembly in the said Act mentioned to be continued, shall be, and are hereby declared to continue and be in full Force, from and after the several Purposes in the said Act, and the Acts therein mentioned, are fully answered, compleated, and fulfilled, until the aforesaid Sum of Forty Thousand Pounds shall be thereby, and by the several Ways and Means in this Act directed, repaid and replaced in the said Office, and until the End of the next Session of Assembly, which shall thereafter happen.

[Additional
Duty on
Negroes
imported.] And be it further Enacted That for each and every Negro imported, or brought into this Province by Land or Water, the Importer or Importers, and Persons bringing in such Negro or Negroes, shall pay unto the Naval Officer, for the Time beign, belonging to the Port or Place where they make their Entry, or where such Negro or Negroes shall be brought, the Sum of Twenty Shillings Current Money, over and above the Duties and Impositions already directed and appointed to be paid by any former Act or Acts of Assembly of

this Province. Provided always, That if any Importer of any Negro or Negroes into this Province, after the End of this Session of Assembly, and within three Months after such Importation or bringing in, shall export any of the said Negroes by him imported or brought in, it shall and may be lawful for such Importer to receive from the Naval-Officer, and the said Naval-Officer is hereby required to pay, by the Way of Debenture or Draw-Back, the Sum of Fifteen Shillings Current Money for every Negro so exported, and for which the Duty aforesaid by this Act is laid and imposed.

Liber H. S.
No. 1
[Drawback
in Case of
Exportation
again.]

And be it further Enacted, That every Master of a Ship or other Vessel, or other Person, who shall import or bring into this Province any Pitch, Tar, or Turpentine, shall make Entry thereof upon Oath with the Naval-Officer, or his Deputy, of the Port or Place where they shall make their Entry, or where they shall bring any Pitch, Turpentine, or Tar, and the Number of Barrels so by them imported or brought into this Province (which Oath the said Naval-Officer or his Deputy are hereby required and empowered to administer), and shall, at the Time of making their Entry as aforesaid, pay unto the said Naval-Officer, or his Deputy, the several and respective Duties and Sums of Money following, that is to say, For every Barrel of Pitch or Turpentine, so by them imported or brought into this Province, the Sum of One Shilling and Six Pence Current Money; and for every Barrel of Tar, so by them imported or brought into this Province, the Sum of One Shilling Current Money; and when fair Entries thereof are made, and the Duties are paid as aforesaid, then the Naval-Officer aforesaid, or his Deputy, shall give to the Person or Persons importing or bringing in the same, or the Owners thereof, a Permit, in Writing, under his Hand, to carry the same to any River, Harbour, or Place, within this Province, there to make Sale or otherwise to dispose thereof. And in Case any Person or Persons importing or bringing into this Province any Pitch, Tar, or Turpentine, shall put the same on Shore, or any Part thereof, out of any Ship or other Vessel, or shall expose or offer to Sale, or otherwise use or dispose thereof, before due Entry thereof hath been made upon Oath as aforesaid, and the Duties aforesaid paid and satisfied, and a Permit in Writing for landing, using, or disposing of the same hath been obtained, such Person or Persons shall forfeit and pay Ten Shillings Current Money for each Barrel of Pitch, Tar, and Turpentine, so by them imported or brought into this Province; one half thereof to be paid to the Commissioners or Trustees aforesaid, to be applied as herein after directed, and the other half to the Informer, or him or them that will sue for the same; to be recovered by Action of Debt, Bill, Complaint, or Information, with legal Costs of Suit, in any Court of Record in this Province.

[Duty on
Pitch, Tar,
and Tur-
pentine.]

p. 248

Liber H. S. And be it further Enacted, That the Naval-Officers aforesaid, for
 No. 1
 [Naval-
 Officers to
 transmit
 Accounts.] the Time being, shall yearly transmit to the Commissioners of the
 Loan-Office, an Account upon Oath, of the Moneys in Virtue of this
 Act respectively by them to be received as aforesaid, retaining in his
 or their Hands respectively a Commission of Two Pounds Ten Shil-
 lings per Cent. And that the Office-Bonds of the said Naval-Officers,
 and their Sureties in such Bonds, shall be answerable for all the
 Moneys so by them respectively received as aforesaid.

p. 249 And be it further Enacted, That all and every the Fines, Pen-
 [Application alties, and Forfeitures, above by this Act laid and imposed, shall be
 of Fines, recovered as by this Act above is directed, and applied and paid the
 &c.] one Moiety to the Use of the Informer, or him, her, or them, that
 will sue for the same, the other to the Commissioners or Trustees
 of the Loan Office, for the Time being, to be applied to the sinking
 the said Sum above by this Act raised and emitted for his Majesty's
 Service.

[In Case a And be it Enacted, That in Case any more Money shall be raised,
 Surplus during the Continuance of this present Act, in Virtue thereof, or
 should be paid to the Commissioners or Trustees of the Loan Office, than the
 raised by Sum of Forty Thousand Pounds aforesaid, emitted and made Cur-
 this Act, rent for the Service aforesaid, that then and in such Case, such
 then paying Money, so raised or paid, over and above the Sum aforesaid, shall
 the 40,000 l. be, and is hereby directed to be appropriated and applied towards
 to go to- the Discharge of the Public Expence of this Province, as the General
 wards the Assembly thereof, for the Time being, shall direct and appoint.
 Public
 Expence.]

[Commis- And to prevent the Evils that may arise, or be apprehended will
 sioners arise, by the several Funds mentioned in this Act not being suffi-
 appointed, cient to replace and sink the Sum of Forty Thousand Pounds thereby
 in Case the raised, according to the true Intent and Meaning of the said Act,
 Funds Be it Enacted by the Authority aforesaid, That the Honourable
 should not Samuel Chamberlaine, Philip Thomas, Benjamin Tasker, junior,
 raise a Richard Lee, Benedict Calvert, and William Goldsborough, Esquires,
 sufficient Philip Hammond, Charles Carroll, John Gassaway, William Mur-
 Sum, to dock, Matthew Tilghman, and Robert Lloyd, Esquires, are ap-
 meet and pointed, by Virtue of this Act, Commissioners for the Purposes
 make an herein after mentioned, that is to say, the said Commissioners, or
 Estimate the Majority of them, or the Survivors of them, shall, on the first
 of the Monday in August, which shall be in the Year of our Lord One
 Deficiency, thousand seven hundred and sixty, repair to the Office of the Com-
 and lay an missioners or Trustees, for emitting Bills of Credit, established by
 additional Act of Assembly, and there examine and inspect into the State of the
 Land-Tax.] Funds or Accounts of Money paid into the said Office, in Virtue of
 this Act, and the Acts herein mentioned to be continued, and shall
 make an Estimate of what the several Taxes, Duties, Impositions,
 Fines, and Forfeitures, therein mentioned, will amount to in five
 Years, allowing the fifth Year's Collection of the said Taxes; Duties,

Impositions, Fines, and Forfeitures, to be equal to the averaged Rate of the four preceding Years Collection, and if it shall appear by such Estimate that there will be a Deficiency, that is, that the Sum of Five Thousand Nine Hundred and Eighty-four Pounds Fourteen Shillings, will not, by the Ways and Means in this Act, and the Acts herein mentioned to be continued, be replaced, and the Sum of Thirty-four Thousand and Fifteen Pounds Six Shillings paid in, in order to be sunk and destroyed as aforesaid, by the Expiration of five Years from the twentieth Day of June next, then and in such Case the said Commissioners, or the Majority of them, or the Survivors of them, shall compute and ascertain what Rate, by Way of additional Tax on Lands to be imposed in the same Manner with the Land-Tax herein before imposed, will undoubtedly be sufficient to make good such Deficiency as aforesaid, adding thereto the Sum of Five Hundred Pounds: And the said Commissioners, who shall ascertain the Rate of such additional Land-Tax, shall make out Certificates of such Rate, under their Hands and Seals, to the Collectors of the Land-Tax of each respective County, and deliver the same by the twentieth Day of August, Seventeen hundred and sixty, inclosed and indorsed for his Lordship's Service, to the Sheriff of Anne-Arundel County, or his Deputy, under the Penalty of One Hundred Pounds Current Money on each Commissioner who shall ascertain the Rate aforesaid, and whose Hand and Seal shall not be set and affixed to such Certificate; to be recovered by Action of Debt, Bill, Complaint, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed; one half thereof to be paid to the Informer, or him, her, or them, that shall sue for the same, the other half thereof to be paid to the Commissioners or Trustees, for emitting Bills of Credit aforesaid, to be by them applied to the replacing and sinking the Sums of Money granted by this Act.

Liber H. S.
No. 1

And be it further Enacted by the Authority aforesaid, That if the Accounts of the Commissioners, for emitting Bills of Credit aforesaid, relating to the Moneys received on the several Ways and Means in this Act, and the Acts herein mentioned to be continued, shall not, on the aforesaid first Monday of August aforesaid, be in such Order that the State of the Funds to be raised by the Ways and Means aforesaid can be seen, or the Sums of Money received thereon known on View, then and in such Case each of such Commissioners shall forfeit and pay the Sum of One Hundred Pounds Current Money; to be recovered by Action of Debt, Bill, Complaint, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed; one half thereof to the Informer, or him, her or them, who shall sue for the same, the other half to be paid to the Commissioners or Trustees, for emitting Bills of Credit aforesaid, to be by them applied to the replacing and sinking the Sums of Money Granted by this Act.

p. 251

[Penalty on the Commissioners of the Loan-Office, if they have not their Accounts clearly stated by the first of August, 1760.]

Liber H. S. No. 1
[Allowance to Commissioners.]

And be it further Enacted by the Authority aforesaid, That each of the said Commissioners, who shall attend at the Paper Currency Office on the Day aforesaid, and set his Hand and Seal to such Certificate as aforesaid, shall be allowed in the Journal of Accounts of this Province, the same Wages respectively as are allowed by Law to Councillors and Delegates serving in General Assembly, besides their itinerant Charges, and no more.

[To lay their Accounts before the next Assembly after.]

And be it further Enacted by the Authority aforesaid, That the said Commissioners, for ascertaining the additional Land Tax aforesaid, shall lay before the next General Assembly of this Province, after the said twentieth Day of August, Seventeen hundred and sixty, a full and fair Account of all their Proceedings, relative to the Execution of their Trust aforesaid, for their Approbation.

[Additional Land Tax how levied, applied, &c.]

And be it further Enacted by the Authority aforesaid, That the said additional Land Tax shall be collected, levied, accounted for, and paid, in the same Manner and under the same Penalties, Fines, and Forfeitures, to all Intents and Purposes, as the Land Tax herein before imposed is to be collected, levied and paid: And the said Penalties, Fines, and Forfeitures, shall be recovered and applied as by this Act is before directed, as to the Penalties, Fines, and Forfeitures, relative to the Land Tax aforesaid.

p. 252
[Continuation of the Act.]

This Act to continue from and after the End of this Session of Assembly, until the Term of five Years be compleated, and to the End of the next Session of Assembly which shall thereafter happen, and no longer, except to the Purposes in the Clause hereafter mentioned and expressed.

[Such Bills as shall be outstanding, after 5 Years, to be redeemed as the present Current Money.]

And whereas by Payments of many of the Taxes, Duties, Imposts, Licence Money, Fines, Forfeitures, and Penalties, by this Act, and the Acts herein mentioned to be continued, imposed in the Currency at present in Circulation, which will be burnt and destroyed at each succeeding Session of Assembly, after the Payment thereof into the Loan Office aforesaid, there must unavoidably remain in Circulation, in Lieu thereof, many of the Bills of Credit emitted and made current by this Act, after the aforesaid Sums are so replaced, sunk and destroyed, as aforesaid: To the End, therefore, that such Bills may then be Current, and of equal Value and Credit, and be on the same Foundation with the Bills of Credit now in Circulation, Be it Enacted by the Authority aforesaid, That all such Bills of Credit, emitted and made current by Virtue of this Act, as shall remain after the Expiration thereof in the Hands of any Person or Persons whatever, shall be as Current, to all Intents and Purposes whatever, from thence until the Expiration of the Time limited for the Circulation of the Bills of Credit now Current, as they are to be at any Time during the Continuance of this Act. And that upon any Person or Persons producing to the Commissioners or Trustees for emitting Bills of Credit, established by the Act of Assembly, for emitting and

making current Ninety Thousand Pounds Current Money of Maryland, in Bills of Credit, within the Time by the said Act limited, for cancelling and vacating the Bills of Credit now in Circulation, any Bill or Bills of Credit, emitted or made current by Virtue of this Act, the same Bills of Credit shall be cancelled and vacated, and such Person or Persons shall be satisfied and paid for them out of the same Fund, and in the same Manner as if they had been Bills of Credit, emitted and made current by Virtue of the aforesaid Act for emitting and making current Ninety Thousand Pounds Current Money of Maryland, in Bills of Credit; any Law, Usage, or Custom, or any Thing herein before contained, to the contrary, in any wise, notwithstanding. Liber H. S.
No. 1

15th May 1756
Read and assented to
by the Lower House of
assembly

Signed p order
M Macnemara Cl lo ho

On behalf of the Right
Honourable The Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

15 May 1756
Read and assented to
by the Upper House of
Assembly

Signd p order
J Ross Cl up ho

The Great Seal
in Wax append.^t

No. 6 An Act for the Continuance of Process in Cecil County March Court, and to cure some Defects that may have happened in the Proceedings of the several County Courts of this Province, and for the explaining an Act of Assembly, entituled, An Act appointing certain Days on which the several and respective County Courts, within this Province, are to be held.

Whereas on the second Tuesday of March, the County Court of Cæcil County, according to Adjournment from November Court, did sit, and from Day to Day did adjourn in the usual Manner, until the twelfth Day of March aforesaid, on which Day the Weather being extreemly severe, a sufficient Number of Justices of the said County, to hold the same Court, did not meet according to Adjournment, by Means whereof the same Court and Business therein, are discontinued, to the great Inconvenience of the Inhabitants of the said County: It is therefore prayed that it may be Enacted. [Preamble.]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Actions and Business whatsoever, brought to Judgment, or other Determination, in the said Court, shall stand good and be effectual; and all Actions and Business depending in the said Court, and at the Time of the Discontinuance aforesaid not fully compleated and ended, shall be, and stand in all Circumstances, and to all Intents and Purposes, continued to the second Tuesday of June next, as fully and effectually as if the said Court, or the Business therein, had not been discontinued; and that the Justices of the said [Cæcil
County
Court
continued.]
p. 254

Liber H. S. County Court shall, on the second Tuesday of June next, take Cognizance of, proceed in, hear and determine, all such Actions and Business, in as full and ample Manner as they might or ought to have done, if the said Court had not been discontinued as aforesaid; any Defect whatsoever in the Continuance of the County Court, for the said County, or any Want of Continuance, or other Defect therein, or any Thing in the Act For limiting the Continuance of Actions, in any wise, notwithstanding.

[All Writs, &c. continued to the second Tuesday in June.] And be it further Enacted, That all Writs, Precepts, and Process, Recognizances, and other Matters, returnable to the said Court, and not then determined, shall be, and are hereby declared to be continued to the second Tuesday in June next; any Thing in the said Writs, Precepts, Process, Recognizances, or other Matters, to the contrary, notwithstanding. And that all Persons, Matters, and Things, taken or affected by such Process, and all Persons summoned, or bound by Recognizance, to appear and attend at the said Court, shall be obliged in the same Manner, and under the same Penalties and Forfeitures, to appear and attend at the said County Court, to be held on the second Tuesday of June next, as they were respectively under for their Appearance and Attendance at the said March Court. And that all Bail Bonds, for the Appearance of Persons arrested on Writs, returnable to the said March Court, shall be assignable, and the Sheriff amerciable for Default of the Defendants Appearance at the said Court, on the second Tuesday of June next, in the same Manner as they would have been in the like Case at the said March Court.

And whereas many Persons, who are Plaintiffs in Actions depending in Cecil County Court aforesaid, at the Time of the Discontinuance thereof, would, had it not been for the said Discontinuance, have had Judgments on the same, or been entitled thereto at the said March Court: And whereas some of those Persons may be indigent and necessitous, and may greatly, if not wholly, depend on the Sum of Money or Tobacco for which they have commenced and prosecuted such Actions, for supplying their Necessities, Payment of their Debts, or carrying on the Business of their Professions:

p. 255
[Executions issued on Judgments had in June, to be under the like Circumstances with those in March.] Be it Enacted, by and with the Authority, Advice, and Consent aforesaid, That on all Judgments, which shall be had and recovered at June Court next, in Actions which are, by this Act, continued from March Court aforesaid, and upon which Judgments would have been obtained at the said Court, had it not been for the Discontinuance aforesaid; it shall and may be lawful, at any Time before the tenth Day of August next, to issue Executions to satisfy the Debts, Damages, and Costs, therein mentioned; which said Executions shall stand in the same Condition, and be equally available to the Person or Persons suing out the same, as if the same had been sued out before the tenth Day of May; any Thing in any of the Laws this

Province, for staying Execution after the tenth Day of May yearly, to the contrary thereof, notwithstanding. Liber H. S.
No. 1

And whereas by an Act of Assembly, made at a Session of Assembly, begun and held at Annapolis, on the twenty-sixth Day of April, in the Year of our Lord Seventeen hundred and fifteen, entituled, An Act for appointing certain Days on which the several and respective County Courts, within this Province, are to be held, it is, amongst other Things, Enacted, That any two Justices of the several and respective County Courts, one to be of the Quorum, should have full Power and Authority, when and as often as Need should require, to adjourn the said County Courts, Process, and Proceedings, therein depending, to such short Time after as they should see convenient: And whereas some Doubts have arisen, whether, by Virtue of the said Act, the two Justices aforesaid one of the Quorum have Power to adjourn a County Court to the Court in Course, as also, whether by Virtue of that Act the two Justices one of the Quorum have Power to call a County Court; and whether several County Courts may not, by one or both of the Means aforesaid, have been discontinued, and the Process and Proceedings therein ended and finished, and such as were then undetermined, may not have been thereby rendered null and void: To remove which several Doubts for the future,

Be it Enacted, by the Authority, Advice, and Consent aforesaid, That it shall and may be lawful to and for any two Justices of every County, one of them to be of the Quorum, in Case of Necessity, to prevent the Discontinuance of their respective County Courts, and for no other End or Purpose whatsoever, to call such County Court on the Day to which the same shall have been adjourned, and also for the like Necessity, and for the same Reason, and no other, to adjourn any County Court to any future Time not subsequent to the Day by the above-mentioned Act appointed for the meeting of the Court in Course. Provided always, That no Business or Proceedings whatsoever, relative to such County Court, other than the calling or adjourning as aforesaid, shall be had, done, or transacted, in or by any Court so as aforesaid by two Magistrates called, unless, after the meeting at such Court of such Number of Magistrates, and so qualified as shall be by the Commissions of the Peace for each County respectively directed.

[Two Justices, in Case of Necessity only, may call or adjourn Courts.]

p. 256

And be it further Enacted by the Authority aforesaid, That all and every County Court, and all Process and Proceedings whatsoever therein respectively had and transacted, which may, at any Time, heretofore have been discontinued, by either a miscalling or misadjourning, or a defective calling or adjourning, as aforesaid, and which have, notwithstanding such a Discontinuance, proceeded to the Transaction of Business, and hearing and determining of Suits, Indictments, or other Prosecutions, or Process, whatsoever,

Liber H. S. No. 1
[All former Proceedings, made Good and valid.]
that in all such Cases the Judgments and other Decisions, Business, Prosecutions, Process, and other Proceedings, done and transacted by such Courts respectively, shall be, and they are hereby declared to stand and be, to all Intents, Constructions, and Purposes, as good, valid, and effectual, as if no such Discontinuance had happened; such Discontinuance, or any Law, Usage, or Custom, to the contrary thereof, in any wise, notwithstanding.

1.st April 1756
Read and Assented to
by the Lower house of
Assembly
Signed p order
MMacnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

1.st April 1756
Read and assented to
by the Upper House of
Assembly
Signed p order
J Ross Cl. Up. Ho.

The Greate Seal
in wax append.^t

No. 7 A Supplementary Act to the Act, entituled, An Act empowering the
p. 257 Justices of Worcester County, to levy on the taxable Inhabitants of Allhallows Parish, a Sum of Tobacco, and for other Purposes therein mentioned.

[Preamble.] Whereas the Rector, Vestrymen, Church-Wardens, and other Parishioners of Allhallows Parish, in Worcester County, have, by their Petition, set forth, That the Sum of Eighty thousand Pounds of Tobacco, assessed and levied in Virtue of the said recited Act, is not sufficient for building, finishing, and compleating a Church already begun, situate in Snow-Hill-Town, in the Parish and County aforesaid, according to the Directions of the said Act; and therefore prayed that a further Sum of Forty-five thousand Pounds of Tobacco might be levied, by five equal Assessments, on the taxable Inhabitants of the said Parish, and applied towards the Building, Finishing, and Compleating the said Parish Church, in the Town of Snow-Hill aforesaid, in such Manner and Form, as to the Vestrymen and Church-Wardens, for the Time being, or the major Part of them, should seem just and reasonable:

[Justices of Worcester County to levy 45,000 lbs. of Tobacco, by five equal Assessments.] Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful for the Justices of Worcester County, for the Time being, and they are hereby directed and required, at laying their County Levy in November Court, in each of the five Years following, viz. in the Year Seventeen hundred and fifty-six, and to continue the same until the Year Seventeen hundred and sixty, inclusive, and until the same five Years are fully compleat and ended, for the assessing and levying the Tobacco aforesaid, for the Uses and Purposes aforesaid, on the taxable Inhabitants of the said Parish, by five equal Assessments, so as aforesaid expressed, the Sum of Nine thousand Pounds of

Tobacco in each Year, exclusive of the Sheriff's Salary of Five per Cent. for collecting the same; to be, by the said Sheriff, paid to the Order of the Rector, Vestrymen, and Church-Wardens, or the major Part of them, and by them, or the major Part of them, to be applied to and for the Finishing and Compleating the Church aforesaid, in the Parish aforesaid, according to the Directions of the said recited Act.

Liber H. S.
No. 1

Provided always, and be it further Enacted, That it shall and may be lawful for the several and respective Inhabitants of Allhallow's Parish aforesaid, to pay and discharge the said several and respective Sums of Tobacco, so to be levied and raised, for the Uses aforesaid, in Current Money, in the same Manner as they now are enabled to pay and discharge the Public or County Levy; any Clause, Matter, or Thing, in the said recited or any other Act, to the contrary, notwithstanding.

[Proviso.]

p. 258

19.th April 1756
Read and assented to
by the Lower house of
Assembly
Signed p order
M^{Macnemara} Cl lo ho

On behalf of the Right
Honourable The Lord
Proprietary of this Province
I will this be a Law
Hor.^o Sharpe

19.th April 1756
Read and assented to
by the Upper house of
Assembly
Signed p order
J^{Ross} Cl Up Ho.

The Great Seale
in Wax append.^t

No. 8 An Act empowering the Justices of Somerset County to levy, not exceeding Twenty Thousand Pounds of Tobacco, upon the Taxable Inhabitants of the said County, for the Use therein mentioned.

Whereas, it is represented to the present General Assembly, that the Ferry of Vienna, upon the River Nanticoke, is a very public and convenient Passage for the Inhabitants of the said County, and all other Travellers, and would be an Ease and Benefit to his Majesty's Subjects, who have Occasion to pass and repass that Way, were it not prevented by the Road of Causeway, as it now is leading through the Marsh, commonly called Vienna-Marsh, in Somerset County, being unpassable with any Safety, much less Conveniency: And forasmuch as the Road, or Causeway, through the same Marsh is of great length, and too burthensome upon the Inhabitants of the said County adjacent thereto, to make good the said Road or Causeway without Assistance,

[Preamble.]

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful, and the Justices of the County Court of Somerset are hereby authorized, empowered, and required, at the next November Court, to be held for that County, to levy on the taxable Inhabitants of the same County, a Quantity not exceeding Twenty Thousand Pounds of

[Justices of
Somerset
County to
levy 20,000
lbs. of
Tobacco for
making a
convenient
Road.]
p. 259

Liber H. S. Tobacco, exclusive of the Sheriff's Salary of Five per Centum for
No. 1 collecting the same, to be paid in such Manner as other Public and
County Levies are now paid and discharged, for the making and com-
pleating a good, commodious, and convenient Road and Causeway,
through the said Vienna-Marsh, from the last Land down to the
River Nanticoke, opposite to Vienna-Town, in Dorchester County;
the said Road or Causeway, to have a good and sufficient Founda-
tion of Wood, raised to an Heighth not to be overflowed by the
Water from the said River, and of twelve Feet wide at the least
upon the Top, well sanded, with one or more turning Places thereon:
And the said Justices are by this Act also impowered and required,
at June or August Court next to contract and agree with some proper
Person, or Persons, for the undertaking and performing the Work,
and to take a Bond from such Contractor or Undertaker, with good
Security, in a sufficient Penalty, at the Direction of the said Justices,
payable unto the Right Honourable the Lord Proprietary, and
conditioned for the well and sufficient making the said Road or
Causeway, and compleating and finishing the said Work, in such
Manner as herein before directed.

[Overseers
to be ap-
pointed, to
keep the said
Road in
good
Repair.] And be it further Enacted, That when the said Road or Causeway,
shall be so made, compleated, and finished as aforesaid, the Justices
aforesaid are directed and required to appoint a proper Person Over-
seer of the same, with a sufficient Number of the Inhabitants next
adjacent, under his Direction, to keep, take care of, and by their own
Labour maintain, support, and keep the said Road or Causeway in
good Repair, in the same Manner that other Roads are or ought to be
kept, without any further Tax upon the said County, under the like
Pains and Penalties of such Overseer, and the People under him,
for Neglect or Omission of their respective Duties, as directed and
appointed by the Laws now in Force, relating to other Public Roads,
or Highways; any Thing in this, or any other Act, to the contrary,
p. 260 notwithstanding.

19.th April 1756
Read and Assented to
By the Lower house of
Assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable The Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

19 April 1756
Read and assented to
by the Upper house of
Assembly
Signed p order
JRoss Cl Up Ho.

The Great Seal
in Wax append.^t

No. 9 An Act for quieting the Differences that have arisen, and may here-
after arise, between the Inhabitants of this Province and the
several Indian Nations, and for punishing Trespasses committed
on their Lands.

[Preamble.] Whereas the several Laws of this Province do not sufficiently
provide for quieting the Differences that have arisen, and may here-
after arise, between the Inhabitants of this Province and the several

Indians now in Amity with them, or punishing Trespasses committed on their Lands: For Remedy whereof, Liber H. S.
No. 1

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of the several County Courts, in this Province, be, and are hereby authorized and impowered to hear and determine, in a summary Manner, upon Petition exhibited to them, all Manner of Controversies and Differences, Claims and Demands, of what Nature or Kind so ever, which have happened, and not yet determined, or may hereafter happen or arise between the said Inhabitants and Indians, in private and personal Controversies, and award Judgment thereon, so always as the same exceed the Value of twenty Shillings Sterling, and the Person or Persons against whom such Complaint be made, be summoned to answer the same, or shall voluntarily appear thereto, and the said Justices shall and may issue Execution or Executions on such their Judgment, with Costs of Suit, as in other Cases. [Justices of the County Courts to hear and determine all Controversies, &c. between the Inhabitants and Indians.]

p. 261

And whereas divers Persons, notwithstanding the Laws of this Province to the contrary, have rented of the said Indians divers Parcels of their said Lands, and settled thereon, and yet, notwithstanding, refuse to pay them the Rents agreed to be paid: And whereas it is highly just and reasonable that those Persons, who have held and occupied the said Lands, under Agreement to pay Rent for the same, should pay the Rents so agreed for, according to their Contracts:

Be it Enacted, by and with the Authority, Advice, and Consent, aforesaid, That the Justices of the several County Courts aforesaid, shall and may, and are hereby authorized and impowered, to hear and determine all such Complaints, and give Judgment thereon to the said Indians for the Rents agreed to be paid, with Costs, in a summary Manner, as before by this Act is directed, and shall and may award Execution thereon; any Law or Custom, to the contrary thereof, notwithstanding. [Justices to hear and determine all Complaints made by the said Indians against Persons who have rented their Lands, and refused Payment.]

And whereas divers Persons have committed divers Trespasses and Wastes on such of the said Indian Lands, which have not been granted to any of the Inhabitants of this Province, by falling, mauling, and carrying away the Timber off from such Land, and refuse to pay and satisfy the said Indians for the same: For Remedy whereof,

Be it Enacted, That the Justices of the County Courts where the said Lands do lie, are hereby impowered and directed, upon Complaint to them made by the said Indians of any Trespasses as aforesaid that have been committed, or that shall or may at any Time hereafter be committed, on such of the aforesaid Indian Lands, and making the same appear by the Oath of one sufficient Evidence, to [Justices, on Complaint of Trespasses, to summon a Jury of 18, and assess Damages.]

Liber H. S. issue their Warrant to the Sheriff of the said County, thereby com-
 No. 1 manding him to summon a Jury of at least eighteen good and lawful
 Freeholders of his County, to appear on the Lands aforesaid, at a
 certain Day, therein to be appointed, who shall then there, upon
 their Oath to be administered to them by the said Sheriff diligently
 enquire into and true Presentment make of all such Wastes and
 Trespasses committed on the said Lands by the Person or Persons
 p. 262 complained against, and shall assess the Damages and true Value
 of the same; and the said Sheriff shall then and there take an Inqui-
 sition thereof, under the Hands and Seals of the said Jurors, or any
 twelve of them that shall agree, and the same under his Hand and
 Seal shall return to the Justices of the next County Court, and the
 said Sheriff shall and is hereby directed to summon and swear to the
 same Jurors all such Witnesses as may be required: At which said
 next Court if the Person or Persons, so charged, shall not shew
 unto the Justices of the said Court sufficient and legal Cause why
 the said Court should not proceed to give Judgment on such Inquisi-
 tion, then the Justices of the same Court shall give Judgment thereon
 to the said Indians, for the Damages mentioned in such Inquisition;
 and shall award Execution thereon, as in other Cases; and the said
 Person or Persons, against whom Judgment, on such Inquisition,
 shall be given, shall, and is hereby obliged to pay unto the several
 Officers their legal Fees, and to each of the said Jurors, who shall
 pass on the Enquiry aforesaid, the Sum of Fifteen Pounds of To-
 bacco for each Day's Attendance; to be recovered and levied as
 Officers Fees are collected and levied.

[Persons holding Lands under Pretence of renting, how to be dealt with.] And to prevent any Person hereafter holding any of the said
 Indian Lands, under Pretence of renting the same, contrary to the
 Laws of this Province, Be it Enacted, That any two Justices of the
 Peace in the County where the Lands lie, shall, and are hereby im-
 powered, upon Complaint to them made by the said Indians of
 any Persons holding their said Lands, under Pretence of renting the
 same of the said Indians, or who shall enter into the same without
 their Permission, to go upon the said Lands, and view the same, and
 if they find the said Complaint to be true, to issue their Warrant to
 the Sheriff of the County to put out such Person or Persons hold-
 ing the same, and deliver full and peaceable Possession thereof to
 the said Indians; and the said Person or Persons, against whom
 such Warrant shall be so issued shall pay unto each of the said
 Justices, for their Trouble therein, the Sum of Sixty-four Pounds of
 Tobacco; and to the Sheriff such legal Fees as in other Cases for
 serving Writs of Possession he may charge; to be recovered by War-
 rant, before one Justice of the Peace, as in Case of small Debts.
 Provided nevertheless, and be it Enacted, That any Person or Per-
 sons, against whom any Judgment, in any Court, by Virtue of this
 Act, shall be given, shall have the Right of appealing to the Pro-

vincial Court of this Province, he or they giving Security as in other Cases. But no such Judgment shall be reversed for Want of judicial Process, or that the same was not tried by any Jury, or any Matter or Form either in the Entry or giving Judgment, if it appears by the Record that the Defendant was legally summoned or appeared, and was not condemned unheard.

Liber H. S.
No. 1
p. 263

1.st May 1756
Read and assented to
by the Lower house of
assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

1.st May 1756
Read and assented to
by the Upper House of
assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax append.^t

No. 10 An Act continuing an Act, entituled, An Act directing the Manner of punishing Fornication and Adultery, before a single Justice of the Peace, out of Court.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That An Act of Assembly of this Province, entituled, An Act directing the Manner of punishing Fornication and Adultery, before a single Justice of the Peace, out of Court, made at a Session of Assembly, begun and held at the City of Annapolis, the third Day of June, Anno Domini One thousand seven hundred and fifty-two, be, and is hereby continued to be and remain in full Force for the Term of three Years next ensuing, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said three Years.

[An Act
continued.]

29th April 1756
Read and assented to
by the Lower house of
assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

1.st May 1756
Read and assented to
by the Upper House of
assembly
signed p order
JRoss Cl. Up Ho.

The Great Seal
in Wax append.^t

No. 11 An Act for the Relief of certain languishing Prisoners in the several County Goals therein mentioned. p. 264

Whereas Constantine Bull, John Hayes, William Grace, and Anne Garrish, languishing Prisoners in Cæcil County Goal; John Hunt, John Green, John Nimmo, and John Temple Parson, languishing Prisoners in Kent County Goal; William Maynard, William Greenwood, Peter Johnson, Goven Dunbar, Charles Mac Carthy, and Lewis Deford, languishing Prisoners in Queen-Anne's County Goal; John

[Preamble.]

Liber H. S.
No. 1

p. 265

Bush, a languishing Prisoner in Talbot County Goal; Edward Dossey, a languishing Prisoner in Dorchester County Goal; Joseph Thompson and Abraham Dean, languishing Prisoners in Somerset County Goal; Patrick Carroll, Adam Gough, and Elizabeth Grant, languishing Prisoners in Baltimore County Goal; Thomas Somes, John Maccauly, Richard Walmsley, John Glover, Richard Clark, James Tapper, and Thomas Collins, languishing Prisoners in Anne-Arundel County Goal; Philip Lynham, Robert Mark, Thomas Catterall, John Bell, Jacob Myres, John Berisford, and Thomas Thompson, languishing Prisoners in Frederick County Goal; George Clarke and John Brown, languishing Prisoners in Prince-George's County Goal; and Thomas Wyley, a languishing Prisoner in Calvert County Goal; by their humble Petitions to this Present General Assembly have set forth, That they have continued Prisoners for Debt, in the Custody of the Sheriffs of the several Counties aforesaid, viz. Constantine Bull, John Hayes, William Grace, and Anne Garrish, in the Custody of the Sheriff of Cæcil County; John Hunt, John Green, John Nimmo, and John Temple Parsons, in the Custody of the Sheriff of Kent County; William Maynard, William Greenwood, Peter Johnson, Goven Dunbar, Charles Mac Carthy, and Lewis Deford, in the Custody of the Sheriff of Queen-Anne's County; John Bush, in the Custody of the Sheriff of Talbot County; Edward Dossey, in the Custody of the Sheriff of Dorchester County; Joseph Thompson and Abraham Dean, in the Custody of the Sheriff of Somerset County; Patrick Carroll, Adam Gough, and Elizabeth Grant, in the Custody of the Sheriff of Baltimore County; Thomas Somes, John Maccauly, Richard Walmsley, John Glover, Richard Clark, James Tapper, and Thomas Collins; in the Custody of the Sheriff of Anne-Arundel County; Philip Lynham, Robert Mark, Thomas Catterall, John Bell, Jacob Myres, John Berisford, and Thomas Thompson, in the Custody of the Sheriff of Frederick County; George Clarke and John Brown, in the Custody of the Sheriff of Prince-George's County; and Thomas Wyley, in the Custody of the Sheriff of Calvert County; for a considerable Time past, and still continue in the like deplorable Circumstances, not being able to redeem their Bodies with all their Estate or Interest they have in the World, which they would readily surrender up and part with to their several and respective Creditors, if they would accept of the same, and grant the said Petitioners their Liberty; which seems so unlikely for them to obtain, that (unless relieved by a particular Act, to be passed in their Favour, which, by their said Petitions they have humbly prayed, they must inevitably continue Prisoners for Life: And for that the Truth of the said Petitioners Allegations is made appear to this General Assembly, and that the said Petitioners are fit Objects of Charity, and that their lying in Goal can be no Benefit to their Creditors: It is humbly prayed that the said Peti-

tioners may be relieved, according to their Prayers, and that it may be Enacted, Liber H. S.
No. 1

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That unless all or any of the Creditors of the said Constantine Bull, John Hayes, William Grace, Anne Garrish, John Hunt, John Green, John Nimmo, John Temple Parsons, William Maynard, William Greenwood, Peter Johnson, Goven Dunbar, Charles Mac Carthy, Lewis Deford, John Bush, Edward Dossey, Joseph Thompson, Abraham Dean, Patrick Carroll, Adam Gough, Elizabeth Grant, Thomas Somes, John Maccauly, Richard Walmsley, John Glover, Richard Clark, James Tapper, Thomas Collins, Philip Lynham, Robert Mark, Thomas Catterall, John Bell, Jacob Myres, John Berisford, Thomas Thompson, George Clarke, John Brown, and Thomas Wyley, or the Creditor or Creditors of any or either of them, or the Attorney or Attorneys of such Creditor or Creditors aforesaid, within this Province, go to the Sheriffs of the Counties of Cæcil, Kent, Queen-Anne's, Talbot, Dorchester, Somerset, Baltimore, Anne-Arundel, Frederick, Prince-George's, and Calvert, within twenty Days next after the End of this Session of Assembly, and give good and sufficient Security to pay the Imprisonment Fees, as settled by Law, that shall or may become due from the said Prisoners respectively, after the End of the said twenty Days, and also find the said Prisoners sufficient Meat, Drink, and Clothing, during their future Imprisonment; and in Case they the said Prisoners shall deliver up and surrender, or cause to be delivered up and surrendered, to the Sheriffs of the Counties aforesaid, in the Presence of two Justices of the Peace of the said Counties, whom the said Sheriffs are hereby required to summon, on the Request of the said Prisoners, at some convenient Time after the Receipt of this Act, not exceeding ten Days, all their real and personal Estate, either in Possession, Reversion, Remainder, or in Trust, or in or unto which they have any Claim or Interest whatsoever, and likewise before the Day before mentioned, convey, assign, transfer, and make over, unto the Sheriffs of Cæcil, Kent, Queen-Anne's, Talbot, Dorchester, Somerset, Baltimore, Anne-Arundel, Frederick, Prince-George's, and Calvert Counties, for the Use of the said Creditors, all such their Estate, Interest, or Claim, as aforesaid, after such Manner as by the said Sheriffs, and by the major Part of such Creditors, or of such of them as shall think fit to direct therein, or their Council learned in the Law, shall reasonably devise or require, at the Costs and Charges of the Persons as shall claim Benefit thereof, so that the said Prisoners be not burthened with any Warrantees thereby, other than from themselves, or those claiming by, from or under them, and that the said Prisoners, at the

[Prisoners
to be dis-
charged on
delivering up
their Effects,
on Oath.]

Liber H. S. Time of such their surrender and transferring their Estate as afore-
 No. 1 said, shall take their solemn Oaths, (or Affirmation if Quakers),
 before the said two Justices of the Courts of the Counties respectively
 aforesaid, to the Effect following, viz. I A. B. do affirm, or solemnly
 [The Oath.] swear, That the Goods, Debts and Effects which I have delivered,
 assigned, and made over to the Sheriff of _____ County, and
 p. 267 in Trust for the Use of my Creditors, is the whole Estate both real
 and personal of my own in Possession, or have any Title to in the
 World, and that I have not any Estate, Goods or Effects, of any
 kind whatsoever, left either in Possession, Reversion, or Remainder,
 (the necessary wearing Apparel for myself, Wife and Children, and
 working Tools excepted) and that I have not directly or indirectly,
 sold, leased, or otherwise conveyed, disposed of, or intrusted, all, or
 any Part of my Estate, thereby to defraud my Creditors, or to secure
 the same to receive or expect any Profit or Advantage thereof: So
 help me God. It shall and may be lawful for the Sheriffs of the
 Counties aforesaid, after the End of the said ten Days, and the
 said Sheriffs are hereby required to discharge the said Prisoners
 out of their Custody, and suffer them to go at large.

[To be dis-
 charged
 from future
 Arrests on
 Appearance,
 &c.] And be it further Enacted, by the Authority, Advice, and Consent
 aforesaid, That if the said Prisoners, or any of them, shall hereafter
 be imprisoned by Reason of any Judgment or Decree obtained for
 the Payment of any Debt, Damage or Cost, contracted, occurred, or
 occasioned, owing or growing due before the End of this Session of
 Assembly, upon every such Arrest, or any such Judgment or Decree,
 or for any such Debt, Damage or Cost, it shall and may be lawful
 for the Judge or Justices of the Court where any such Process shall
 issue, upon shewing a Duplicate of the Discharge of the said Pris-
 oners, or any of them, being so arrested, to release and discharge out
 of Custody the said Prisoners, or any of them, provided the said
 Prisoners, or either of them, being so arrested, shall and do enter his
 or their Appearance, or procure some Attorney to appear to every
 such Action, and plead thereto. Provided, That the Discharge of the
 said Prisoners, or any of them, shall not acquit any other Person
 from such Debt, Damage or Cost, or any Part thereof, but that all
 such Persons shall be answerable for the same, in such Manner as they
 were before the passing this Act.

[Debts to
 stand good
 in Case, &c.] Provided always; and be it Enacted, by the Authority aforesaid,
 That notwithstanding the Discharge of the said Prisoners, or any of
 them, all and every Debt or Debts, due and owing from him, her or
 them, and all and every Judgment had, or Decree obtained, against
 him, her or them, shall stand and be good and effectual in Law, to all
 Intents and Purposes, against the Lands, Tenements and Heredita-
 ments, Goods and Chattels, of him, her, or them, and which he, she
 or they, or any other Person in Trust, for the Use of him, her or

them, had at the Time of the Discharge of the said Prisoners, or any of them, or which he, she or they, at any Time hereafter, shall or may be any Way seized or possessed of, or interested in, to his, her or their own Use, or in his, her or their own proper Right, either in Law or Equity, (except the wearing Apparel and Bedding, or working Tools, of him, her or them, not exceeding the Sum of Five Pounds Current Money), and it shall and may be lawful for any of their Creditors, their Executors, Administrators and Assigns, to take out new Execution, or Executions, against the Lands, Tenements, or other Hereditaments, Goods, and Chattels of the said Prisoners, or any of them (except as before excepted), for the Satisfaction of his, her, or their Debts, in such Sort, Manner, and Form, as he or they might have done if the said Prisoners, or any of them, had not been taken in Execution, or discharged, by Virtue of this Act.

Liber H. S.
No. 1
p. 268

And be it further Enacted, by the Authority aforesaid, That if any Action of Escape be brought against any Sheriff, or any Suit or Action, against any Justice or Justices, for the performing their Office in Pursuance of this Act, he or they may plead the general Issue, and give this Act, and the Matter in Evidence; and if the Plaintiff be nonsuit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs.

[Actions of
Escape.]

Provided also, That nothing in this Act shall extend, or be construed to extend, to bar any Creditor or Creditors of the before mentioned Prisoners, from having and maintaining any Action of Escape against any Sheriff, who hath permitted any Escape, before the making this Act.

[Proviso.]

Provided nevertheless, That in Case the said Prisoners, or any of them, shall, at any Time after making such his or her Oath, or Oaths, or taking such his or her Affirmation, or Affirmations, as aforesaid, be convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Non-compliance with the Tenor of such Oath, or Affirmation, as aforesaid, that then the said Prisoners, or any of them, being convicted as aforesaid, shall, upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him, her, or them, by this Act, and shall, from thenceforth, be liable to be prosecuted for any Debt or Demands whatsoever, in the same Manner as if this Act had never been made; any Thing to the contrary notwithstanding.

[If perjur'd,
not to re-
ceive any
Benefit from
this Act.]

p. 269

Provided always, That the Sheriffs of Cæcil, Kent, Queen-Anne's, Talbot, Dorchester, Somerset, Baltimore, Anne-Arundel, Frederick, Prince-George's, and Calvert Counties, shall be first satisfied their Imprisonment Fees, out of the respective Effects of the said Prisoners, before any Creditor or Creditors shall have any Share of the Prisoners Effects, and if the said Prisoners Effects shall not be

[Sheriffs
Fees to be
first paid.]

Liber H. S. sufficient to satisfy the Sheriffs their Imprisonment Fees, that then
No. 1 the said Prisoners, and every of them, whose Effects shall not be
sufficient to pay and satisfy their Imprisonment Fees, as aforesaid,
shall satisfy and pay to the Sheriffs the Residue of their Imprison-
ment Fees: Provided, That the Sheriffs shall not prosecute, detain,
or imprison the said Prisoners, or any of them, within Three Years
after his or their Releasement; any Thing contained in this Act to the
contrary notwithstanding.

[The Pris- aforesaid, And be it further Enacted, by the Authority, Advice, and Consent
oners Effects of the Prisoners aforesaid, That whatever Estate, whether real or personal, any of the
to be sold by the Sheriffs.] in whose Custody they are or shall be at the Time of their or any
of their Discharge, shall, by the Sheriff or Sheriffs, in whose Custody
such Prisoner or Prisoners shall be, in the Presence of one Magis-
trate of the particular County where such Prisoner shall be dis-
charged, be exposed to public Sale and Sold to the highest Bidder;
and that after the same be done, and the Sheriff or Sheriffs are paid,
or secured to be paid, their Fees, the Residue shall be applied to the
Creditors of such Prisoner or Prisoners that shall apply therefore,
within thirty Days after the said Sale, in equal Proportion to their
Demands.

[Bonds, &c. or other Demands, any of the said Prisoners have against any Person
belonging to or Persons whatsoever, be by the said Prisoner or Prisoners assigned
the Prisoners to the Sheriff in whose Custody such Prisoner or Prisoners shall
to be as- be, or are at the Time of their Discharge; and that such Sheriff or
signed to the Sheriffs shall and may maintain an Action or Actions on such De-
Sheriff.] mands, as Assignee of such Prisoner or Prisoners, in his own Name.
Provided always, That such Creditor or Creditors demand of such
p. 270 Sheriff to sue, and give to such Sheriff a Bond to indemnify him
against any Charge that may accrue to such Sheriff by Means of
suing; and in Case of Recovery, that then the Sheriff make Distribu-
tion of what shall be recovered to the Person or Persons giving
him such Security as aforesaid.

14.th May 1756
Read and Assented to
by the Lower house of
Assembly
Signed p order
M Macnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Pro-
vince I will this be a Law
Hor.^o Sharpe

14 May 1756
Read and Assented to
by the Upper house of
Assembly
Signed p order
J Ross Cl. Up Ho.

The Great Seal
in Wax append.^t

No. 12 A Supplementary Act to the Act, entitled, An Act for repairing
the Public Roads in this Province.

[Preamble.] Whereas it is represented to this General Assembly, that several
Persons in Evasion of an Act of Assembly, entitled, An Act for

repairing the Public Roads in this Province, made at a Session of Assembly, begun and held at the City of Annapolis the second Day of October, in the Year of our Lord One thousand seven hundred and fifty-three, have, since the passing the said Act, built Mills, and erected Dams for such Mills on Branches of Runs below the Places where public or main Roads crossed such Branches or Runs, by Means whereof the Waters are so stopped and interrupted in their Course, that the public or main Roads are become unpassable, to the great Prejudice of all those who have Occasion to pass and use such Roads:

Liber H. S.
No. 1

Be it therefore Enacted, by the Right Honourable the Lord' Proprietary, by and with the Advise and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That where any Person or Persons have, since the second Day of October, in the Year of our Lord One thousand seven hundred and fifty-three, built, or shall hereafter build or erect, any Mill on any Branch or Run below the Places where public or main Roads did or shall cross such Branch or Run, and by the building and erecting of such Mill, or the Dam for the same, the public or main Road which crossed or shall cross the Branch or Run as aforesaid, is or shall be any Way hurt or injured, or the Passage therein any Way obstructed or rendered difficult or incommodious, such Person or Persons, or the Owner, Possessor, or Occupier, of such Mill or Mills shall, and they are hereby obliged, by the last Day of October next, where such Mill or Mills have already been built, or within three Months after the building of any other Mill or Mills, stopping or impeding the Course of the Water as aforesaid, to make good and sufficient Bridges and Causeways, twelve Feet wide at the least, over the said Branches or Runs, at the Places where the public or main Roads crossed such Branches as aforesaid, and the same Bridges maintain and keep in good Repair, under the Penalty of Twenty Pounds Current Money, and the like Sum for every two Months Neglect thereafter; one half thereof to be applied towards defraying the Charge of the County where such Neglect shall happen, the other half to him or them that shall inform or sue for the same; to be recovered by Action of Debt, Bill, Complaint, or Information, in any Court of Record, within this Province, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

[The Owners of Mills to build Bridges over Runs where Main Roads cross such Runs.]

p. 271

Provided, That such Person or Persons, Owner or Owners, Possessor or Occupier, of such Mill or Mills, shall not be obliged to send his or their taxable Persons, who shall reside in the Precinct of such public Road, to work on any Part of such Road, except on such Bridge and Causeway as aforesaid.

[Proviso.]

Liber H. S. This Act to be in Force during the Continuance of the above
 No. 1 recited Act, and no longer.
 [Continu-
 ance.]

14.th May 1756
 Read and assented to
 by the Lower house of
 Assembly
 Signed p order
 MMacnemara Cl lo ho.

On behalf of the Right
 Honourable the Lord
 Proprietary of this Prov-
 ince I will this be a Law
 Hor.^o Sharpe

14 May 1756
 Read and assented to
 by the Upper house of
 Assembly
 Signed p order
 JRoss Cl Up Ho.

The Great Seal
 in Wax append.^t

No. 13 An Act for preventing Indians disaffected to the British Interest in
 p. 272 America from coming into this Province as Spies, or on any other
 evil Design.

[Preamble.] Whereas it is represented to this General Assembly, that Indians,
 not in Friendship or Alliance with his Majesty's Subjects, and espe-
 cially some of those Nanticoke Indians, who some Years ago left
 their usual Place of Residence, and went to the Westward, have
 lately fixed Cabbins, under Pretence of hunting in different Places
 of this Province, where they have behaved very insolently, and have
 even intimated that they have been active in some of the horrid
 Cruelties committed last Summer by the Savages on the Frontiers
 of the neighbouring Provinces. And as it is apprehended that no
 strange Indian would, at this Time of open War, come into this
 Province, unless with a View to get Information, and give Intelli-
 gence to our Enemies, or on some other ill Design: In order, there-
 fore, to discover any such who may be lurking about hereafter.

[Constables Be it Enacted, by the Right Honourable the Lord Proprietary,
 to take an by and with the Advice and Consent of his Lordship's Governor,
 exact List of and the Upper and Lower Houses of Assembly, and the Authority
 the Names, of the same, That the several Constables of the respective Hundreds
 &c. of all wherein any Indian Town, within this Province, doth lay, shall,
 Indians before the twentieth Day of June next, and so Yearly and every
 within their Year, go to the Indian Town or Towns, within his Hundred, and
 Hundreds.] require the chief Indian or Great Man of the said Town, to give him
 an exact Account of the Names both Indian and English, Sexes, and
 Ages of all the Indians, belonging to the said Town; and the said
 Constable, from such Account, shall make a fair List, distinguishing
 each Sex and Age by different Columns, that is to say, Men, Women,
 Boys, and Girls, and their respective Ages, and the same shall deliver
 to the Clerk of the respective County, who shall enter the same among
 his Land-Records without Fee or Reward. And if the chief Indian
 or Great Man of the Town, shall, upon Application of the Constable,
 refuse, or delay to give an Account as aforesaid, the Constable shall
 immediately inform the Chief Justice of the County wherein such
 Town shall lay, who shall issue his Warrant to the said Constable

to take such chief Indian or Great Man, and bring him before him to answer for such Refusal or Delay; and if the said Indian Chief or Great Man shall not give the said Justice a satisfactory Reason for such Refusal or Delay, the said Justice is hereby required to commit such Indian Chief or Great Man to Prison, there to remain until he shall give such Account, and pay the Fees arising on such Commitment.

Liber H. S.
No. 1
p. 273

And be it further Enacted, That when any Indian shall have Occasion to go from the Town to which he or she belongs, he or she shall apply to some Justice of the Peace of the County wherein such Town shall lay for a Pass, who is hereby obliged to give one without Fee or Reward, wherein shall be expressed such Indian's Name both Indian and English and Age, the Town to which he or she belongs, and an accurate personal Description, to which Pass the County Clerk shall make the proper Certificate and affix the County Seal, without Fee or Reward. And if any Person shall discover an Indian, without such Pass as aforesaid, ten Miles distant from the Town to which he or she belongs, it shall and may be lawful for such Person to seize such Indian, and carry him or her before the next Justice of the Peace, who shall commit such Indian to Prison, unless he or she can make appear to what Town he or she properly belongs, there to remain until he or she can fully make appear the same; and when such Indian shall have made appear to such Justice that he or she does belong to some one Town in this Province, or is in Friendship and Alliance with his Majesty's Subjects of America, then the said Justice is hereby required to make out his Warrant to the Sheriff to discharge such Indian, and the Fees arising due to the said Sheriff, on such Commitment, shall be assessed in the public Levy of this Province.

[Indians not to travel ten Miles distant from the Town to which they belong, without a Pass.]

Provided, That nothing in this Act shall be deemed or construed to hinder or restrain any Indian or Indians, belonging to any of the Six Nations, from travelling or passing as Embassadors or Messengers from any of the said Six Nations to the Governor or Commander in Chief of this Province for the Time being; any Thing in this Act, to the contrary, notwithstanding.

[Proviso.]

This Act to continue for three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said three Years.

[Continuance.]

18th May 1756
Read and assented to
by the Lower house of
assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

18 May 1756
Read and assented to
by the upper house of
assembly
Signed p order
JRossCl Up Ho

p.274

The Great Seal
in Wax append.^t

No. 14 An Act for the speedy and effectual Publication of the Laws of this
 Liber H. S. Province, and for the Encouragement of Jonas Green, of the City
 No. 1 of Annapolis, Printer.

[Allowance to the Printer for Printing, Stitching, &c. the Laws and Votes.] Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That there shall be allowed to Jonas Green, of the City of Annapolis, Printer, the several and respective Sums of Current Money, in the several Counties, within this Province, following, to wit, In Baltimore County, Thirty Pounds; Anne-Arundel County, Twenty-five Pounds Ten Shillings; Charles County, Twenty-three Pounds Ten Shillings; Prince-George's County, Twenty-three Pounds; Frederick County, Twenty Pounds Ten Shillings; Queen-Anne's County, Twenty Pounds Five Shillings; Saint Mary's County, Nineteen Pounds Ten Shillings; Dorchester County, Eighteen Pounds Ten Shillings; Kent County, Eighteen Pounds Five Shillings; Talbot County, Seventeen Pounds Fifteen Shillings; Somerset County, Seventeen Pounds Ten Shillings; Worcester County, Sixteen Pounds Fifteen Shillings; Cæcil County, Sixteen Pounds Ten Shillings; and Calvert County, Eleven Pounds Ten Shillings; which said respective Sums of Money the Justices of the several County Courts, within this Province, are hereby impowered and required to allow and assess in their respective County Levies annually, during the Continuance of this Act, together with the Sheriff's Salary of Five Pounds per Cent. for collecting the same. And the said several Sums of Money, so to be allowed and assessed as aforesaid, shall be collected by the Sheriff of each respective County, and yearly paid p. 275 by them respectively, free from any Abatement or Deduction, to the said Jonas Green or his Order, for Printing, Stitching, Covering with marble, blue Paper, Vellum, or Parchment, and delivering a Copy of the public Laws, made this present Session of Assembly, by the first Day of September this present Year, and the Votes and Proceedings of the Lower House of Assembly of this present Session, by the tenth Day of January, in the Year of our Lord 1757, and also a Copy of the Laws of any future Session, within three Months, and of the Votes and Proceedings of the Lower House of Assembly, within four Months, respectively, after the End of every such Session, during the Continuance of this Act, to the Governor, and each Member of the Upper and Lower Houses of Assembly, and one Book of the Votes and Proceedings to the Clerk of each House, and three Books of the Votes and Proceedings aforesaid to the Clerks of the several and respective County Courts, for the Perusal of the Inhabitants of the several and respective Counties, and a Copy of the public Laws, during the Continuance of this Act, to every Provincial and County Magistrate, and a Copy of each Law,

bound up in Leather, to each House of Assembly, the High Court of Appeals, the Provincial Court, and to each County Court within this Province. Liber H. S.
No. 1

And be it likewise Enacted, That if it should so happen that in any Year, during the Continuance of this Act, there should not be any Session of Assembly held within this Province, whereby the said Jonas Green may be enabled to print Laws, and deliver them within such Year, that then and in such Case there shall be allowed to the said Jonas Green the several and respective Sums of Current Money, in the several Counties within this Province, following, to wit, In Baltimore County, Twenty-four Pounds Five Shillings; Anne-Arundel County, Twenty Pounds; Charles County, Eighteen Pounds Ten Shillings; Prince-George's County, Eighteen Pounds; Frederick County, Sixteen Pounds Five Shillings; Queen-Anne's County, Fifteen Pounds Fifteen Shillings; Saint Mary's County, Fourteen Pounds Ten Shillings; Dorchester County, Fourteen Pounds; Kent County, Thirteen Pounds Fifteen Shillings; Talbot County, Twelve Pounds Ten Shillings; Somerset County, Eleven Pounds, Fifteen Shillings; Worcester County, Eleven Pounds Five Shillings; Cæcil County, Eleven Pounds; and Calvert County, Eight Pounds Ten Shillings; which said respective Sums of Money last [Allowance,
in Case there
should be no
Session.]

p. 276

Provided always, That the said Jonas Green shall actually reside at Annapolis, during the Continuance of this Act, and comply with the Terms thereof; and that upon the Death of the said Jonas Green, or his Removal from Annapolis, or ceasing to comply with the Terms of this Act, on his Part, the Payment of the sums of Money, herein before directed to be paid to him, shall cease; any Thing contained in this Act, to the contrary, notwithstanding. [Proviso.]

And be it likewise Enacted, That the Copy of the public Laws, made this present Session of Assembly, as well as those made at any future Session, during the Continuance of this Act, shall have marginal Notes made and printed thereto, as also the Date of the Year, wherein such Laws were respectively made, inserted in each Page, and a List of such Laws made at the End of each Session, with the Page where they are printed: All which the said Jonas Green is hereby required and obliged to do, as well as all other Services herein before mentioned, for the yearly Salary aforesaid. [Laws
to have
marginal
Notes.]

Provided always, and be it hereby Enacted, That it shall and may be lawful for the taxable Inhabitants of this Province, upon whom [Proviso.]

Liber H. S. the above Sums of Money shall be assessed, to discharge and pay
 No. 1 the same in Gold and Silver, at the same Rates as by the Act, entitled,
 p. 277 in his Majesty's Customs, and for the Limitation of Officers Fees,
 made at a Session of Assembly, begun and held at the City of
 Annapolis, the second Day of October, in the Year of our Lord One
 thousand seven hundred and fifty-three, Gold and Silver is directed
 to be received in all Payments made in Virtue of that Act.

[County
 Clerks to
 give Certifi-
 cates of
 their being
 delivered.] Provided also, That it shall and may be lawful for the Sheriffs
 of the several and respective Counties respectively, and they are
 hereby required not to pay to the said Jonas Green the said respective
 Sums of Money herein before mentioned, or any Part thereof, to
 be assessed and levied for his Use, unless it shall be made appear to
 them, by a Certificate from the Clerk of the respective County
 (which Certificate shall be given by the Clerk without Fee or Re-
 ward), that the Public Laws, and the Votes and Proceedings of this
 present Session, and every future Session, during the Continuance
 of this Act, were printed and delivered, in Manner and Form, and
 within the Time by this Act respectively directed; any Thing herein
 before contained, to the contrary, in any wise, notwithstanding.

[Laws and
 Votes to go
 as Public
 Letters.] And be it likewise Enacted, That the several and respective Sheriffs,
 within this Province, shall, and they are hereby directed and required
 to receive and forward the said Laws, with the Votes and Proceedings
 aforesaid, to the Clerks of the several County Courts, and Members
 of each House of Assembly, as Public Letters are by the Laws of
 this Province directed to be forwarded.

[Last Year's
 Allowance
 to be paid by
 the 20th of
 June next.] And whereas in Virtue of an Act of Assembly, entitled, An Act
 for the speedy and effectual Publication of the Laws of this Province,
 and for the Encouragement of Jonas Green, of the City of An-
 napolis, Printer, made at a Session of Assembly, begun and held at
 the City of Annapolis, on the second Day of October, in the Year of
 our Lord One thousand seven hundred and fifty-three, the Justices
 of the several and respective County Courts, within this Province,
 did make an Allowance of Twenty Pounds Current Money of this
 Province to the said Jonas Green in the Levy laid for each respective
 p. 278 County in November, Seventeen hundred and fifty-five, and by the
 Expiration of the said Act, it may be doubted, whether the Sheriffs
 of the several and respective Counties may or ought to pay the same
 to the said Jonas Green or his Order; Be it therefore Enacted, That
 it shall and may be lawful to and for the Sheriffs of the several and
 respective Counties, and they and each of them are hereby directed
 and required to pay to the said Jonas Green, or his Order, the said
 Sum of Twenty Pounds, so as aforesaid to him allowed and assessed
 in their respective County Levies, on or before the twentieth Day of
 June next, without any Abatement or Deduction whatever.

And whereas in and by an Act of Assembly, intituled, An Act for granting a Supply of Forty Thousand Pounds Current Money for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds six Shillings thereof, in Bills of Credit, and raising a Fund for sinking the same, made and passed this present Session of Assembly, it is, amongst other Things, Enacted, that the Printer, who shall print and stamp the blank Bills of Credit thereby directed to be printed; stamped, emitted and made current, shall be allowed in the County Levies of this Province Two hundred Pounds Current Money:

Liber H. S.
No. 1

Be it therefore Enacted, That there shall be allowed to the Person, who shall be employed by the Commissioners or Trustees for emitting the Bills of Credit, established by Act of Assembly, to print and stamp the said blank Bills, the several and respective Sums of Current Money, in the several Counties, within this Province, to wit, In Baltimore County, Twenty-three Pounds; Anne-Arundel County, Nineteen Pounds; Charles County, Seventeen Pounds Ten Shillings; Prince George's County, Seventeen Pounds Five Shillings; Frederick County, Fifteen Pounds Five Shillings; Queen-Anne's County, Fifteen Pounds; St. Mary's County, Fourteen Pounds; Dorchester County, Thirteen Pounds Ten Shillings; Kent County Thirteen Pounds Five Shillings; Talbot County, Eleven Pounds Ten Shillings Somerset County, Eleven Pounds Five Shillings; Worcester County, Eleven Pounds; Cæcil County, Ten Pounds ten Shillings; Calvert County, Eight Pounds: Which said respective last aforesaid Sums of Money, the Justices of the several County Courts, within this Province, are hereby impowered and directed to allow and assess in their next respective County Levies, together with the Sheriffs Salary of Five Pounds per Cent. for collecting the same. And the said several last aforesaid Sums of Money, so to be allowed and assessed as aforesaid, shall be collected, in Manner aforesaid, by the Sheriff of each respective County, and by them respectively paid to the Person, who shall be, as aforesaid, employed to print and stamp the said Bills of Credit, or his Order, on or before the twentieth Day of June, which shall be in the Year One thousand seven hundred and fifty-seven, free from any Abatement or Deduction whatever.

[200 l. to be allowed the Printer for Printing the Bills of Credit.]

p. 279

This Act to continue to the twentieth Day of December, which shall be in the Year One thousand seven hundred and fifty-seven.

[Continu-
ance.]

21st May 1756 -
Read and assented to
by the Lower house of
assembly

Signed p order
M Macnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

21st May 1756
Read and assented to
by the Upper house of
assembly

Signed p order
J Ross Cl Up Ho.

The Great Seal
in Wax append.^t

- No. 15 An Act to impower the Justices of the several County Courts, to
 Liber H. S. make Provision for the late Inhabitants of Nova-Scotia, and for
 No. 1 regulating their Conduct.

[Preamble.] Whereas the Governor and Council of Nova Scotia have thought it most advantageous to the British Interest, in North America, to transport many of the Inhabitants thereof, into other of his Majesty's Colonies, Numbers of whom have been brought into this Province, and in Compassion to their unhappy Circumstances have been permitted to Land, and have been dispersed into different Counties within this Province, in order to give them an Opportunity of exercising their own Labour and Industry, thereby to procure a comfortable Subsistence for themselves: Notwithstanding which, many of them, through Obstinacy, and others, from Indolence, have absolutely refused and declined making Use of such Means of Subsistence, and have thereby become a considerable Burthen upon the charitable and well disposed People in the several Counties: For the Prevention whereof for the future, and to prevent such of them as are not able to subsist themselves from perishing.

p. 280 Be it Enacted by the Right Honourable the Lord Proprietary, by [Justices to take care of and provide for such of the French Neutrals, as shall be real Objects of Charity.] and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly and the Authority of the same, That the Justices of the several Counties within this Province, shall, and they are hereby impowered, in the same Manner that they now take Care of and provide for the Poor of their respective Counties, to take care of and provide for such of the said French Neutrals in their respective Counties, as they shall deem to be real Objects of Charity. And if there shall be in any County, a greater Number of the said French Neutrals than is already allotted by his Excellency the Governor, that then the Justices of such County shall, and they are hereby authorized and impowered to convey or transport such Overplus or Part thereof to any other County or Counties, as will make up the Number allotted them as aforesaid: And the Justices of such Counties are hereby obliged and required to receive and dispose of the French Neutrals, so sent, in the best Manner they can, so as that they may become Residents of their respective Counties. Provided always, That none of the said Neutrals shall be sent into Frederick County.

[Justices to bind out such of their Children, as they shall be unable to support.] And be it further Enacted, by the Authority aforesaid, That if any of the said Inhabitants of Nova-Scotia shall be unable to support their Children by their own Labour and Industry, that then, and in such Case, it shall and may be lawful for the Justices of the several County Courts respectively to bind out such Child or Children to some Person, upon the best Terms they can make, for the Ease of the County, as well as the Benefit of such Child, in the same Manner that Orphans are bound out by the Laws of this Province.

Provided nevertheless, That if his most Sacred Majesty should be graciously pleased to order the said Inhabitants of Nova-Scotia to any other Part of his Majesty's Dominions or elsewhere, that then, in such Case, all Manner of Contracts, which shall have been made by the Justices aforesaid with any Person or Persons, with regard to such Child or Children, shall be absolutely void and of one Effect; and the said Justices shall make the Person or Persons, to whom any of the Children aforesaid shall have been bound, such an Allowance in the County Levy, as they shall think just and reasonable.

Liber H. S.
No. 1
[Proviso.]

And be it further Enacted, That the Constables of every Hundred shall, and they are hereby directed to take and return to the next August Court of their respective Counties, to be entered in the Records of the said County, an exact List of all and every such French Neutral, in their several Hundreds, distinguishing therein the Men, Women, Boys, and Girls; and on Failure thereof, every such Constable shall be adjudged, by the Court to whom such List should be returned, in a summary Way, to pay the Sum of Thirty Shillings Current Money, to be applied for the Use of the County.

[Constables
to return an
exact List of
all the
French
Neutrals, in
their several
Hundreds,
to next
August
Court.]

Provided always, and be it Enacted, That no Constable shall return any of the said Neutrals as Taxables, but that all and every Neutral French Man shall be exempt from the Payment of all Taxes.

[Proviso.]

And be it further Enacted, by the Authority aforesaid, That if any of the said late Inhabitants of Nova-Scotia commonly called French Neutrals, shall be found travelling above the Distance of ten Miles from the Place of his or her Abode, or out of the County where he, she or they, shall reside, without a Pass from some Provincial or County Magistrate, describing the Person or Persons of such French Neutrals, mentioning their Place of Residence, and whither they are going, and limiting a Time for their Return, it shall and may be lawful for any Person or Persons to take up such French Neutral or Neutrals, and him, her, or them, carry before some Justice of the Peace; and if, on Examination, it shall appear to such Justice, that such French Neutral or Neutrals are travelling beyond the Place or Places, or after the Time mentioned in the said Pass, it shall and may be lawful for such Justice, and he is hereby required to commit such Person or Persons to the Public Goal of the County where he, she or they reside, there to remain for the Space of five Days, unless he, she or they give Security for his, her or their good Behaviour and Appearance at the next County Court. And if any of the said French Neutrals shall be found in any other County, than that in which they are registered as aforesaid, without such Pass as aforesaid; it shall be lawful for any Person to take up such French Neutral or Neutrals, and carry them before some Magistrate of the County, who is hereby empowered to confine such French Neutral or Neutrals, until, upon Examination, it can be known from what

[French
Neutrals
not to travel
ten Miles
from their
Place of
Abode,
without a
Pass.]

p. 282

Liber H. S. County they departed, and then, by Warrant under his Hand, to order
No. 1 him, her or them to be conveyed back, from Constable to Constable,
to the County where they belong, or shall properly reside, there to
be confined for the Space of five Days, and then sent by the Sheriff
of such County to their respective Places of Residence, unless
Security be given for his, her or their good Behaviour and Appear-
ance at the next County Court.

[Neutrals who shall refuse to work, how to be treated.] And be it further Enacted, That if any of the said late Inhabitants
of Nova Scotia, after the first Day of June next, being Persons of
Ability of Body, shall use wandering and loitering, and refuse to
work for reasonable Wages, every such Person shall, upon their
Apprehension by Order of any Justice of the Peace, be sent to the
Public Goal of the County where he, she or they shall reside, there
to remain until he, she or they shall be willing to Labour for Sub-
sistence.

[Continu-
ance.] This Act to continue for one Year from the End of this Session
p. 283 of Assembly, and no longer.

22.^d May 1756
Read and assented to
by the Lower house of
assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Pro-
vince I will this be a Law
Hor.^o Sharpe

22.^d May 1756
Read and assented to
by the upper house of
assembly

Signed p order
JRoss Cl Up Ho.

The Great Seal
in Wax Append.^t

No. 16 An Act for the Assessment and Payment of the Public Charge of
this Province.

[Preamble.] Whereas there are the Sums of One thousand five hundred and
thirty-eight Pounds twelve Shillings and eight Pence Current Money,
and Four millions six hundred and five thousand nine hundred and
ninety-six Pounds of Tobacco, due from the Public of this Province
to the several Creditors thereof, as appears by the Journal of Ac-
counts, assented to by both Houses of this Present Session of
Assembly: For the greater Ease in the Discharge and Payment
whereof,

[One Moiety of the Public Debts to be levied in 1756.] Be it Enacted, by the Right Honourable the Lord Proprietary, by
and with the Advice and Consent of his Lordship's Governor, and
the Upper and Lower Houses of Assembly, and the Authority of
the same, That the Sum of Seven hundred sixty-nine Pounds six
Shillings and Four Pence Current Money, and Two millions three
hundred and two thousand nine hundred and ninety-eight Pounds of
Tobacco, being one Moiety of the Amount of the said Journal of
Accounts, together with the Sheriffs Salary of Five Pounds per
Centum thereon for Collection to the several Sheriffs, who shall
collect and pay the same, shall be levied from the several taxable

Inhabitants of this Province, by an equal Levy and Assessment, according to the Lists to be returned this present Year. Liber H. S.
No. 1

And be it further Enacted, by the Authority aforesaid, That the Honourable Colonel Charles Hammond, Samuel Chamberlaine, and Philip Thomas, Esquires, Colonel Benjamin Tasker, Richard Lee, and Benedict Calvert, Esquires, of the Upper House, and the Honourable Philip Hammond, Robert Lloyd, John Goldsborough, Matthew Tilghman, Walter Dulany, and John Gassaway, Esquires, of the Lower House of Assembly, or the Survivors of them, or the major Part of them, be and are hereby appointed a Committee to meet together, at the City of Annapolis, on the Third Day of October next, then and there to assess and apportion the aforesaid Sums of Seven hundred and sixty-nine Pounds six Shillings and four Pence Current Money, and Two millions three hundred and two thousand nine hundred and ninety-eight Pounds of Tobacco, with the Salary aforesaid thereon, by even and equal Portions, on the taxable Inhabitants aforesaid, and particularly to order and direct how much thereof shall be levied and collected by the Sheriff of each respective County, and to what Persons, being public Creditors, the respective Sheriffs shall pay the same; and a fair Journal of all and singular their Proceedings in the Premises to make and deliver to the Clerk of the Lower House of Assembly, to be laid before the next General Assembly thereafter, to be held for this Province. [A Committee appointed to meet, to assess and apportion one Moiety of the Public Levy.]
p. 284

And be it further Enacted, That the said Committee, or the Survivors of them, or the major Part of them, shall, and they are hereby appointed and directed to meet again, at the City of Annapolis, on the third Tuesday of October, which shall be in the Year of our Lord One thousand seven hundred and fifty-seven, then and there to assess and apportion the Sums of Seven hundred and sixty-nine Pounds six Shillings and four Pence Current Money, and Two Millions three hundred and two thousand nine hundred and ninety-eight Pounds of Tobacco, the other Moiety of the Amount of the Journal of Accounts, assented to this present Session of Assembly, with the Salary aforesaid thereon, by even and equal Portions, on the taxable Inhabitants of this Province, according to the Amount of the Lists thereof to be returned for that Year, and particularly to order and direct how much thereof shall be levied and collected by the Sheriffs of each respective County, and to what Persons, being public Creditors, the respective Sheriffs shall pay the same; and a fair Journal as aforesaid to make and deliver as aforesaid, to be laid before the next General Assembly, that shall be thereafter held for this Province. [A Committee appointed to meet again, in 1757, to assess and apportion the other Moiety of the Public Levy.]

Liber H. S. No. 1
[Sheriffs to observe the Directions of the Committee.]

And be it further Enacted, That the several and respective Sheriffs aforesaid shall, and are hereby obliged to collect and levy so much of the aforesaid Sums of Money and Tobacco as to them respectively, by the Committee aforesaid, shall be appointed, and the same to pay to the several Persons, and in such Proportion, as by the said Committee, or the major Part of them, shall be directed.

[To be collected in the same Manner as the County Levies.] p. 285

And be it further Enacted, by the Authority aforesaid, That the said Sums of Money and Tobacco shall and may be collected and levied by Way of Execution, in such Manner as the County Levies are usually collected. Always saving to the good People of this Province their Right in discharging the Tobacco-Assessments in Current Money, as by the Laws of this Province are provided.

22^d May 1756
Read and assented to
by The Lower house of
Assembly
Signed p order
MMacnemara Cl lo ho.

On behalf of the Right
Honourable The Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

22^d May 1756
Read and assented To
by the Upper House of
Assembly
Signed p order
J Ross Cl Up Ho

The Great Seal
in Wax Append.^t

No. 17 An Act to vest certain Intailed Lands therein mentioned in the Female heirs of Leonard Hollyday Gentlemen in fee Simple.

Whereas Thomas Hollyday and Leonard Hollyday Gen.^t by their Humble Petition to this Present General Assembly did set fourth That their Father Leonard Hollyday of Prince Georges County Gen.^t in the year Seventeen hundred and forty one Dyed Seized of two Tracts of Land lying in Calvert County the one called Buzzard Island and the other the addition to Buzzard Island the whole Containing Seven hundred fifty one Acres and That by his Last will and Testament he Devised the same to his Second Son Leonard Hollyday one of the Petitioners and to his male heirs and for want of such Issue to his Eldest Son Thomas Hollyday and his male heirs That Leonard Hollyday had only female heirs who could not Inherit the said Land after his Death whereby it would descend to his Eldest Brother Thomas who by letter had Signified his consent and is Party to the said Petition That the said Land was Unimproved at the Time of the Death of their Father since which it had Cost the Present possessor Leonard Hollyday who Lives thereon a Considerable Sum of money to Improve the Same that the Said Land had been in Possession of the Father of the Petitioners ever since the year Sixteen hundred & Eighty five and never had been claimed by any other Person Wherefore they Prayed that an Act of Assembly might pass to Vest an Estate of Inheritance in fee Simple in the Said Land called Buzzard Island and the addition to Buzzard Island in the female heirs of the said Leonard Hollyday in Case he should have

p. 286

no male heirs at the Time of his Death and that in default of Issue in the said female heirs the said Land to Descend according to the will of the Father of the petitioners and the prayer of the Petitioners in the said Petition contained being thought reasonable the Same was Granted and Leave given to bring in a Bill according to the Petitioners prayer It is therefore Humbly prayed that it may be Enacted and be it Enacted by the Right Honourable The Lord Proprietary by and with the advice & Consent of his Lordships Governor and the upper and Lower houses of Assembly and the Authority of the same That the said Tract of Land Called Buzzard Island and the addition to Buzzard Island containing in the whole Seven hundred and fifty one acres with the Appurtenances in Calvert County aforesaid so as aforesaid Devised by the said Leonard Hollyday the Father to his Second Son Leonard Hollyday and his male heirs shall be and the Same are hereby Vested in the said female heirs of Leonard Hollyday the Son their heirs and assigns to the only use and Behoof of them the said female heirs of the said Leonard Hollyday the Son their Heirs and assigns for ever Provided always and it is the true Intent and Meaning of this act that if the said Leonard Hollyday shall have any male heirs of his Body at the time of his Death or that the said female heirs of the said Leonard Hollyday shall not have Issue that then and in such Case the Said Land Called Buzzard Island and the Addition to Buzzard Island with The Appurtenances shall Descend and stand Limited as by the Last will and Testament of the said Leonard Hollyday the Testator is Devised any Law Usage or Custom to the Contrary in any Wise Notwithstanding Saving to the Kings most Excellent Majesty his heirs & successors to the Right Honourable The Lord Proprietary his heirs and Successors and to all and every other Person & Persons not mentioned in this Act Bodies politic and Corporate their respective heirs & successors all such Right Title Estate Interest Claim & Demand other than the Persons claiming under the Last will of the said Leonard Hollyday the Father and this Act as they every or any of them Could or might Claim if this Act had never been made

Liber H. S.
No. 1

p. 287

1st April 1756
Read and assented to
by the Lower house of
Assembly
Signed p order
MMacnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
Proprietary of This Prov-
ince I will this be a Law
Hor.^o Sharpe

1st April 1756
Read and assented to
by the Upper house of
Assembly.
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax Append.^t

- No. 18 An Act to empower and Direct the Clerk of Ann Arundel County to
 Liber H. S. record among the said County Records a Deed of Bargain and
 No. 1 Sale from Thomas Larkin Deceased to John Jordan Deceased

Whereas Thomas Larkin late of Ann Arundel County Gentleman Deceased by his Deed of Bargain and Sale bearing Date the twenty fourth day of December in the year of our Lord one thousand Seven hundred and twenty Eight for the Consideration money therein mentioned did Convey to John Jordan Deceased in fee all that Lott of Land lying in the Town of Annapolis begining at the South Eastermost stake of a Lott then in the Possession of the Said Jordan which he bought from William Beckingham and runing South East for Breadth four Perches to another stake then North thirty six Degrees East twenty nine Perches to another stake to Severn River thence with the said River to the aforesaid Lott and bounding on the Same with a straight Line to the first stake Containing and laid out for half an Acre of Land more or Less And Whereas the said Deed of Bargain and sale was not recorded in the Provincial Court Ann Arundel County Court or the Mayor's Court of the City of annapolis Where the said Land Lyes within six months after the Date of the said Deed of Bargain and Sale And

p. 288 Whereas the said Thomas Larkin is since Dead by means Whereof the omission of Recording the said Deed of Bargain and Cannot now be supplied by the Parties of the said Deed Wherefore it is most humbly Prayed that to supply the omission of Recording the said Deed of Baragin and Sale within the Time Limited by the Act of Assembly for quieting Possessions Inrolling Conveyances and securing the Estate of Purchase it may be Enacted. And be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governor the upper and Lower houses of Assembly and the Authority of the same that the Clerk of Ann Arundel County Court for the Time being shall and may record the said rented Deed of Bargain and Sale among the Records of Ann Arundel County within Six Months After the End of this Present session of Assembly and that the recording the said Deed within the said six Months shall be as Good and Sufficient to vest the said Lott of Land therein mentioned in the said John Jordan and his heirs and all and every Person or Persons deriving a Title to the same from by or under him or them according to the Meets and Bounds aforesaid as if the said Deed had been recorded among the records of Ann Arundel County Court within six months after the date of the Said Deed any Neglect omission Law statute Act of Assembly Usage or Custom notwithstanding Saving to his most Sacred Majesty his heirs and Successors and to the Right Honourable Lord Proprietary his heirs and Successors

and all Bodies Politick and Corporate and all others not mentioned in this Act their Several and Respective Rights. Liber H. S.
No. 1

10th April 1756
Read and assented to
by the Lower house of
Assembly
signed p order
M Macnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

14 April 1756
Read and assented to
by the upper house of
Assembly
signed p order
J Ross Cl Up Ho

The Great Seal
in Wax append.t

I Do hereby Certify that William Sligh Clerk of the Provincial Court and of the Secretary's Office of the Province of Maryland this Day Personally Appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province af.^d his Council of State and made Oath on the Holy Evangels of Almighty God that he Carefully Examined all the Laws Contained in this Book Begining at Folio 203 and ending at Folio 288 with the Original Acts that Passed the Great Seal Sworn to this 18 Day of November Annoq Domini 1756 p. 289

Benj.^m Tasker

SEAL

The Seal of the Provincial Court is hereunto Affixed
on behalf of Benjamin Tasker Junior Esquire Deputy
Secretary of Maryland

p W. Sligh Clk of the Secretary's
Office and Provincial Court.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, September 14–October 9, 1756.
Being the Fifth Session of the Assembly Elected in 1754.*

FREDERICK CALVERT, LORD BALTIMORE,
Lord Proprietary.

HORATIO SHARPE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the 14.th Day of September in the sixth Year of his Lordships Dominion Annoque Domini 1756.

U. H. J.
Liber No. 35
1756
September
14
p. 117

Present

His Excellency Horatio Sharpe Esquire Governor

The honourable {	Benjamin Tasker Esq. ^r	} Philip Thomas Esq. ^r	
	Col: Charles Hammond		Richard Lee Esq. ^r
	Samuel Chamberlaine Esq. ^r		Benedict Calvert Esq. ^r

Mess.^{rs} Goldsborough and Lloyd from the lower House acquaint his Excellency that there is a sufficient Number of Members met to make a House and wait his Excellency's Commands.

Col: Hammond and Samuel Chamberlaine Esquires, are sent to the lower House to acquaint the Speaker that his Excellency requires his immediate Attendance with the lower House in the upper House.

The lower House attend and his Excellency is pleased to make the follow:^g Speech

Gentlemen of the upper and lower Houses of Assembly.

I have been obliged to call you together before the time to which you were prorogued at the conclusion of the last Session by some Letters that I have lately received from one of his Majesty's principal Secretary's of State, and the Earl of Loudoun, by the first I am required to recommend it to you in a particular manner to make Provision out of the Fund that is already raised in this Province for repaying the Masters of such indented Servants as have been entertained [sic] or may enlist in his Majesty's Forces' the Money paid by the said Masters upon the original Contract in proportion to the time such indented Servant had, or may have to serve at the time of their engaging in his Majesty's Service, that these are his Majesty's Instructions and Expectations you will see by one of the Letters that will be laid before you, and as nothing but the Interest of your Constituents, seems to be consulted thereby, I doubt not but you will out of Regard to them as well as in Obedience to his Majesty's Commands, readily appropriate to this Use Part of the Sum which was lately granted for his Majesty's Service, and is yet unexpended. By the Earl of Loudon's Letter, you will find that the present Situa-

U. H. J.
Liber No. 35
September
14

tion of Affairs on this Continent lays his Lordship under a necessity of conjureing, and requiring you in the most earnest, and important manner, to levy a number of Men in this Colony with the utmost Expedition for the Regiment, which his Majesty has graciously ordered to be raised in America for the defence of these Colonies: what makes his Lordship so urgent, and induces him to press you for a Number of Recruits at this Juncture, rather than Aid in any other shape you will learn from his Letter, and as his Majesty has signified his Pleasure and expects you will apply the Money that you have raised or may grant for the Public Service, as the Commander in Chief of his Majesty's forces on this Continent shall direct, I persuade myself you will not hesitate to appropriate part of the Money already granted in the manner that his Lordship requires, especially as you must all be convinced that by these means you can most effectually promote his Majesty's Service, and the Welfare and safety of this and the neighbouring Colonies. On the Receipt of his Lordships Letter, I sent Instructions to the commanding Officers of the Militia to enlist Men in their respective Counties for the Royal American Regiment, a Copy of the Instructions I shall lay before you hoping you will make Provision for repaying the Money that might be expended on that Service, and that my ready compliance with his Lordship's Requisition will meet with your Approbation.

You will observe Gentlemen that we are called on to lay an Embargo on outward bound Vessels, laden with Provisions, and/as the Northern Governments have already done/to prohibit for a time the Exportation of any out of this Province I hope you will immediately proceed to frame a Bill for this Purpose, and that you will also very speedily enable me to send acceptable Answers to the Letters which you shall have to peruse.

Gentlemen of the lower House

I have several other Matters to communicate to you, but shall postpone the mention of them 'til I understand that you have come to some Determination on those which I have now submitted, and recommended to your Consideration:

[The letters referred to in the above speech are printed on pages 590-4.]

Adjourned 'till to Morrow Morning ten of the Clock

September
15

Wednesday Morning 15.th Sep.^r 1756.

This House met again according to Adjournment

Present as Yesterday

Adjourned 'till three of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned 'till to Morrow Morning 10: of the Clock.

U. H. J.
Liber No. 35
September
15

Thursday Morning 16. Sep: 1756.

September
16

This House met again according to Adjournm.^t

Present as Yesterday/except Philip Thomas Esq.^r Benjamin Tasker Esq.^r attended by the Members of this House presents to his Excellency the Address of this House which follows in these Words: To his Excellency Horatio Sharpe Esq.^r Gov.^r & Comm.^r in Chief in & over the Province of Maryland

The humble Address of the upper House of Assembly.

May it please your Excellency;

p. 119

We look upon your calling us together before the time to which we were prorogued as a Matter so necessary that we cannot but return you our sincere Thanks for it, and at the same time we must acknowledge that your Zeal for his Majesty's Service and the Care and Pains you have taken to protect, and secure us against the Attempts of our barbarous and inveterate Enemies, and the Vigour and Activity which you have shewn on all Occasions to that End deserves our utmost Gratitude.

We think that we need not repeat the Assurances we have so often given, that nothing in our Power shall be wanting to contribute towards carrying into Execution the just Measures which our most gracious Sovereign has thought fit to direct for the preservation of his Dominions on this Continent, and the safety and Welfare of this Province:

Sep.^r 15. 1756.

B: Tasker President

A Message from the lower House by Messieurs Williamson and Bealle

By the lower House of Assembly,
11 [sic]: Sep: 1756:

May it please your Honors.

This Houth hath appointed M.^r Walter Dulany, M.^r Earle, M.^r Edge, M.^r Bealle, M.^r Williamson, M.^r Bracco, and M.^r John Handy a Committe from this House to inspect the Accounts and Proceedings of the Commissioners or Trustees for emitting Bills of Credit established by Act of Assembly and desire your Honors to appoint one or more Members of your House to join in the said Committee:

signed p. Order.

MMacnemara Cl: lo: Ho:

Adjourned 'till three of the Clock in the Afternoon

U. H. J.
Liber No. 35
September
16

Eodem die Post Meridiem

This House met again, according to Adjournment

Present as in the Morning

The following Message is sent to the lower House by Benedict Calvert Esquire.

By the upper House of Assembly 16. Sep.^r 1756
Gentlemen

This House hath appointed Richard Lee Esquire to join the Members, named by your House in a Committee to inspect the Accounts, and Proceedings of the Commr.^s of the Paper Currency Office.

Signed p: Order:

Jn.^o Ross Cl: Up: Ho:

The Governor is pleased to communicate to this House his Answer to their Address

Gentlemen of the upper House of Assembly:

I have long been convinced that none are more anxious than yourselves to promote his Majesty's Service, or the safety, and Welfare of Maryland; and it gives me the greatest Satisfaction to find by your obliging Address, that my Endeavours to discharge my Duty to his sacred Majesty, meet with your Approbation.

Hor.^o Sharpe

Adjourned 'till to Morrow Morning 10. of the Clock

September
17

Friday Morning 17.th September 1756.

This House met again according to Adjournment

Present as Yesterday.

Adjourned 'till three of the Clock in the Afternoon.

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned 'til to Morrow Morning 10: of the Clock

September
18

Saturday Morning 18.th September 1756.

This House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again, according to Adjournment

Present as in the Morning.

Adjourned till Monday Morning 10: of the Clock

U. H. J.
Liber No. 35
September
18

Monday Morning 20.th Sep.^t 1756

This House met again according to Adjournment

Present

the honble { Benjamin Tasker Esq.^r
Samuel Chamberlaine Esq.^r } Richard Lee Esq.^r
Colonel Tasker } &
Benedict Calvert Esq.^r

Adjourned till three of the Clock in the Afternoon

September
20

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Messieurs Carroll and Gassaway, attend with M.^r Worthington, a Member elected for Ann Arundel County, in the Room of M.^r Hall deceased, in order to see him qualified; who takes the several Oaths to the Government appointed to be taken by Act of Assembly, repeats and subscribes, the Abjuration and Test, and then withdraw:

Adjourned 'till to Morrow Morning 10: of the Clock.

Tuesday Morning 21: sep.^r 1756.

This House met again according to Adjournment

Present as Yesterday and Colonel Hammond,

Adjourned 'till three of the Clock in the Afternoon

September
21

p. 121

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning 10: of the Clock.

Wednesday Morning 22.^d sep.^r 1756.

This House met again according to Adjournment

Present as Yesterday

Adjourned 'till three of the Clock in the Afternoon

September
22

U. H. J.
Liber No. 35
September
22

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Gassaway and Worthington attend with Daniel Dulany Esquire, a Member elected for the City of Annapolis, in the Room of Stephen Bordley Esquire, in order to see him qualified, who takes the several Oaths to the Government appointed to be taken by Act of Assembly repeats, and subscribes the Abjuration Test, and then withdraw.

Adjourned 'till to Morrow Morning 10: of the Clock.

September
23

Thursday Morning 23.^d Sep.^r 1756.

This House met again according to Adjournment

Present as Yesterday/except Colonel Hammond,

Read the Petition of Timothy Mc'Donald a Soldier under Captain Dagworthy in the Maryland Forces, who was wounded at the Battle of the Monongahela, and rendred incapable of getting his Livelihood by his Labour praying for Relief, referred to the Consideration of the lower House sent by Benedict Calvert Esq.^r

Adjourned 'till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned 'till to Morrow Morning ten of the Clock

September
24

Friday Morning 24.th Sep.^r 1756.

This House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned 'till to Morrow Morning 10: of the Clock

Saturday Morning 25.th Sep.^r 1756

This House met again according to Adjournment

Present as Yesterday.

Adjourned 'till Monday Morning 10, of the Clock

U. H. J.
Liber No. 35
September
25
p. 122

Monday Morning 27.th Sep.^r 1756.

This House met again according to Adjournment

Present

the honorable { Benjamin Tasker Esq.^r } Col: Benjamin Tasker
 { Samuel Chamberlaine Esq.^r } Richard Lee Esq.^r

Adjourned 'till three of the Clock in the Aternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned 'till to Morrow Morning 10: of the Clock

September
27

Tuesday Morning 28.th September 1756.

This House met again according to Adjournment

Present as Yesterday

Adjourned 'till three of the Clock in the Afternoon

Eodem Die post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned 'till to Morrow Morning 10: of the Clock

September
28

Wednesday Morning 29.th Sep.^r 1756

This House met again according to Adjournment

Present as Yesterday/except Samuel Chamberlaine Esq.^r

Adjourned 'till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again, according to Adjournment

Present as in the Morning

Adjourned 'till to Morrow Morning 10: of the Clock.

September
29

U. H. J.
Liber No. 35
September
30

Thursday Morning 30.th Sep.^r 1756.

This House met again, according to Adjournment

Present as Yesterday

Messieurs Tilghman, and Carroll from the Lower House, acquaint his Excellency that their present speaker is so much indisposed that he is not able to attend.

Richard Lee Esq.^r is sent to the Lower House to acquaint them his Excellency requires their immediate Attendance in the upper House.

The lower House attend, and his Excellency devises them to return to their House, and make Choice of a Speaker

p. 123 Messieurs Hodart, and Jenifer acquaint the Governor their House hath made Choice of a Speaker

Colonel Tasker is sent to the Lower House to acquaint them his Excellency requires their Attendance in the upper House to present their speaker.

The lower House attend, and present M.^r Alex.^r Williamson for their Speaker, with which Choice the Governour declares himself well pleased.

Adjourned 'till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning 10. of the Clock

October 1

Friday Morning 1 : Oct.^r 1756.

This House met again according to Adjournmen.^t

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned 'till to Morrow Morning 10: of the Clock

October 2

Saturday Morning 2:^d Oct.^r 1756.

This House met again according to Adjournment

Present as Yesterday

Adjourned 'till Monday Morning 10: of the Clock

Monday Morning 4.th Oct: 1756:

This House met again according to Adjournment

U. H. J.
Liber No. 35
October 4

Present

the hon^{ble} { Benjamin Tasker Esq.^r } Colonel Benjamin Tasker
 { Colonel Hammond } Richard Lee Esq.^r

Adjourned 'till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournmen.^t

Present as in the Morning

Adjourned 'till to Morrow Morning 10: of the Clock

Tuesday Morning 5.th Oct.^r 1756:

October 5

This House met again according to Adjournment

Present as Yesterday

Adjourned 'till three of the Clock in the Afternoon

Eodem Die post Meridiem

p. 124

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Messieurs Tilghman and Carroll, intituled, An Act for his Majesty's Service, and further Defence and Security of this Province thus endorsed:

By the Lower House of Assembly 1.st Oct.^r 1756:

Read the first time, and ordered to lye on the Table

Signed p Order M. Macnemara Clk: Lo: Ho:

By the Lower House of Assembly 5.th Oct.^r 1756.

Read the second time and will pass

Signed p Order. M Macnemara Clk Lo: Ho:

Read the first time in this House and ordered to lie on the Table

Adjourned 'till to Morrow Morning 10: of the Clock

Wednesday Morning 6.th Oct.^r 1756.

October 6

This House met again according to Adjournment.

Present as Yesterday, and Philip Thomas Esq.^r

A Bill from the Lower House by Messieurs Henry and Handy intituled, An Act empowering the Justices of Somerset County to

U. H. J. levy not exceeding 20,000. of Tobacco upon the taxable Inhabitants
 Liber No. 35 of said County to be applied to the Purpose therein directed thus
 October 6 endorsed.

By the Lower House of Assembly 5.th Oct.^r 1756.

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara C^lk Lo: Ho:

By the Lower House of Assembly 6.th Oct.^r 1756.

Read the second time and will pass.

Signed p order M Macnemara C^lk: Lo: Ho:

Read the first time in this House and ordered to lye on the Table

Read the Petition of sundry Persons Ordinary-Keepers, and others, Inhabitants of Dorchester County praying a Bill may be brought in to prevent Persons from selling Liquors without Lychense, at or near the Town of Cambridge in the said County:

The Petition of John Winter, and Charles Love, the Inspectors at Piles Fresh, and Francis Parnham, Owner of the said Warehouse in Charles County, praying a Bill may be brought in to indemnifye them from Damages occasioned by an extraordinary Hurricane, on 22.^d June last which blew down the said Warehouse—The Petition of Ann Cockshutt praying Leave to bring in a Bill to make a Deed of Bargain and Sale for a Tract of Land called Poor Land in Calvert
 p. 125 County from William Hours to W.^m Booth valid/although the same was not executed in time, referred to the Consideration of the Lower House of Assembly and sent by Richard Lee Esq.^r

Adjourned 'till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the Petition of the Vestry and principal Inhabitants of Port Tobacco Parish in Charles County praying a Bill may be brought in to divide the said Parish after the death of the present Incumbent—The Petition of the Vestrymen Church-Wardens and Parish-ioners of Prince-Georges Parish in Frederick County praying a Division of the said Parish—rejected.

Read the second time by especial Order the Bill, intituled, An Act for his Majesty's Service, and further Defence, and Security of this Province, and sent by Richard Lee Esq.^r

Adjourned 'till to Morrow Morning 10: of the Clock

Thursday Morning 7.th Oct.^r 1756.

U. H. J.
Liber No. 35
October 7

This House met again according to Adjournment

Present as Yesterday (except Col: Hammond)

Read the second time the Bill, intituled, An Act, empowering the Justices of Somerset County to levy not exceeding 20,000: of Tobacco, upon the taxable Inhabitants of the said County to be applied for the Purpose therein mentioned, passed & sent by Col: Tasker.

Adjourned 'till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournm.^t

Present as in the Morning with the Addition of Col: Lloyd
and Col: Henry.

An engrossed Bill from the lower House of Assembly, by Mess.^{rs} Edmondson & Govane, intituled, An Act for the defence, and Security of this Province (thus subscribed)

7.th Oct.^r 1756: Read & assented to by the Lower House of Assembly.

Signed p Order, M Macnemara Clk: lo: Ho:

Read and assented to by this House and ordered to be so subscribed.

A Bill from the lower House of Assembly by Messieurs Smallwood & Jordan intituled, An Act for the Relief of sundry of the Inhabitants of Cha.^s Co: thus indorsed.

By the lo: Ho: of Assembly 7.th Oct.^r 1756:

Read the first and second time by an especail Order and will pass:

Signed p Order: M Macnemara Cl: lo: Ho

Read the first time in this House, and order to lye on the Table: p. 126

Adjourned 'till to Morrow Morning 10: of the Clock.

Friday Morning 8.th Oct.^r 1756:

October 8

This House met again according to Adjournment

Present as Yesterday.

Read the second time the Bill, intituled, An Act for the Relief of sundry of the Inhabitants of Charles County passed and sent to the Lo: Ho: of Assembly by Col: Henry:

Richard Lee Esq.^r from the Committee appointed to inspect the Accounts and Proceedings of the Comm.^{rs} of the Paper Currency Office, brings in the following Report.

U. H. J. Maryland ss:
 Liber No. 35
 October 8

At a Committee of both Houses of Assembly appointed to inspect the Office and Proceedings of the Comm.^{rs} for emitting Bills of Credit established by Act of Assembly: Sep.^r 17.th 1756: were present, the honorable Col: Richard Lee of the upper House; M.^r Walter Dulany, M.^r Michael Earle, M.^r Josiah Beall, M.^r Alexander Williamson, M.^r John Bracco, M.^r John Handy and Col: John Henry. afterwards, on the 1:st day of Oct.^r appeared, Major William Hynson, Captain Daniel of S.^t Tho.^s Jenifer, and Captain Jn.^o Gassaway of the Lower House: who make Choice of and appoint the honorable Col: Richard Lee Chairman, and Richard Dorsey their Cl: and proceed to make the following Report.

Your Committee having inspected the State of the Office for emitting Bills of Credit, established by Act of Assembly, find that the Commissioners, have closed their Books to the 15.th day of September Instant, by which it appears, that there remains of the £88990: a Ballance in the Iron Chest as p the following Acco:^t of £616: 5: 9½. which Sum your Committee have counted.

The Office for emitting Bills of Credit.

	D. ^r	£.	s.	d.
To Mony in the Iron Chest the 20: Feb: 1755:	}	1938:	0:	5½
as p: Report the 26: following.....				
To principal Mony paid into the Office, from	}	1961:	6:	9
20: Feb: 1755: to 15: Sept. ^r 1756.....				
To Interest Mony paid into the Office at same	}	2791:	0:	11
time				
To Mony p: ^d by sev. ¹ Sheriffs for Ordinary Li-	}	648:	16:	3½
censes &c. in the same time.....				
p. 127 To Money paid by sev. ¹ Justices for Fines, for	}		8:	15: 0
Breaches of the Ordinary Licence Law in				
same time	}		85:	16: 0
To Money paid by sev. ¹ County Clks for pedlars				
Licences, in same time.....	}	445:	19:	4½
To Money paid by sev. ¹ Naval Officers, for the				
duty on Negroes Convicts, indented servants,	}	56:	1:	6
& Madeira Wines, in same time.....				
To Money paid by sev. ¹ Sheriffs for the duty on	}	5:	10:	0
Wheel Carriages in same time.....				
To Money paid by the Justices of Prince Georges	}	6:	0:	3
County for so much received by them in				
virtue of the Inspection Law.....	}			
To Mony paid by Benjamin Welsh, for Costs of				
Suit of Phillips's Bond.....				
		£7947: 6: 6½		

C.^r

	£:	s:	d.	U. H. J. Liber No. 35 October 8
By Mony paid at sundry times to his Excy } Horatio Sharpe Esq. ^r in virtue of the Act 1754: for his Majesty's Service..... }	800:	8:	0	
By Mony paid D: ^o by Ordinances in February } Session 1756. }	750:	0:	0	
By Mony paid the Justices of Dorchester County } for building an Inspection House..... }	70:	0:	0	
By Mony lent on Interest.....	1186:	10:	0	
By Mony paid the Justices of Fred. ^k County for } building a County Goal..... }	200:	0:	0	
By Mony paid for Commissioners and Clks Sal- } aries }	500:	0:	0	
By Mony paid for Office Expences.....	30:	16:	0	
By Money paid for primage of a small Trunk, } to Captain Hall..... }	5:	0:	0	
By Mony paid for Secretaries' Commissary's and } Attorney's Fees }	14:	8:	9	
By Mony paid the Agents p £40,000. Act.....	3773:	18:	0	
By Ballance in the Chest.....	616:	5:	9 $\frac{1}{4}$	
	<hr/> £7947: 6: 6 $\frac{1}{4}$ <hr/>			

Your Committee find by the Office Books, that there remains due to the Office for Money taken out by the Act for the Encouragement of able Bodied Freemen, voluntarily inlisting in his Majesty's Service for the Expedition against Cuba to be replaced by public Assessment, the Sum of £686:14:6:—By the Act for purchasing Provisions for his Majesty's Forces for the Expedition against Canada to be replaced by Ordinary Licenses, the Sum of £785:3:7: and that there also remains due to the Office the Sum of £3380:0:18 $\frac{3}{4}$: for Mony taken out by the Act for his Majesty's Service past in July 1754: which is to be replaced by an additional Sum of twenty Shillings on Ordinary Licenses, the Duty on Servants, Madeira Wine, Wheel Carriages Pedlar's Licenses, and the additional Duty on Negroes, and after the above Sum of £785:3:7: remaining due by the Act for purchasing Provisions for his Majesty's Forces for the Expedition against Canada is replaced, then the whole Ordinary License Money to be applied to the discharge of the Money taken out of the Office by the Act in 1754:

U. H. J. The Public by the Act for Encouragement of able bodied Freemen
 Liber No. 35 voluntarily inlisting in his Majesty's Service for the Expedition
 October 8 against Cuba :

D.^r

	£.	s.	d.
To Mony paid the Agents appointed by the said } Act }	2357	10	0
	<hr/> £2357: 10: 0 <hr/>		

C.^r

	£.	s.	d.
By Mony returned by the Agents.....	707	10	0
p. 128 By Mony paid by several Sheriffs in part of the } public Assessment }	963	5	6
By Ballance due on this Acco. ^t to be replaced by } public Assessm. ^t }	686	14	6
	<hr/> £2357: 10: 0 <hr/>		

We find that no Money hath been paid into the Office, in Discharge of the Ballances reported in February Session 1756 to be due from the following Sheriffs for Ordinary Licenses, and public Assessment (to wit)

	£	s	d
Edward Trippe late Sheriff of Dorchester County.	110	15	10½
Richard Porter, late Sheriff of Talbot County....	76	8	6
Benjamin Bradford, late Sheriff of Cecil County..	29	12	1
	<hr/> £216: 16: 5½ <hr/>		

Your Committee take leave to observe there was an Action commenced in the Provincial Court against Edward Trippe, and that the Proceedings had thereon may clearly appear, a Transcript of the Record thereof, is hereunto annexed. [See pages 577-84.]

The Public by the Act for purchasing Provisions for his Majesty's Forces on the Canada Expedition.

D.^r

	£	s	d
To Ballance as p. Report in February Session 1756	1047	3	10½
	<hr/> £1047: 3: 10½ <hr/>		

C.^r

	£	s	d	U. H. J. Liber No. 35 October 8
By Mony paid by sev. ¹ Sheriffs for Ordinary Li- censes	259	10	3½	
By Money paid by Rob. ^t Polk one of the Justices of Dorchester County for a Moiety of Santy Slavin's Fine, for selling Liquor without Li- cence	1	5	0	
By Money paid by Jn. ^o Veazey one of the Trusties of Cæcil County for a Moiety of Matth. ^w Nowlands Fine, for selling Liquor without License	1	5	0	
By Ballance due on this Account.....	785	3	7:	
	£1047	3	10½	

The Public by the Act for his Majesty's Service past in July p. 120
1754.

D.^r

	£	s	d
To Ballance as p. Report in February Session } 1756.	3817	0	4½
	£3817	0	4½

C.^r

By Mony paid by several nav. ¹ Officers for the duty on servants Negroes, and Madeira Wine. }	297	13	8¾
By Money paid by several County Clerks for Ped- lars Licenses	66	6	0
By Money paid by sundry Shffs for the additional Sum of 20/ on Ordinary Licenses.....	16	10	0
By Mony paid by several Sheriffs for Wheel Car- riages	56	1	6
Ballance due on this Acco. ^t	3380	18	3¾
	£3817	0	4½

Your Committee further find, that of the Money reported in
October session 1753: to be due from several Sheriffs, on Account
of Ordinary Licenses the following Sums still remain unpaid.

U. H. J.	John Risteau, late Sheriff of Baltimore County...	121: 10: 0
Liber No. 35	Henry Morgan, late Sheriff of same County.....	26: 2: 6
October 8	Thomas Sheredine, late Sheriff of same County for } the Year 1750.....	24: 5: 6
	Thomas Sheredine jun. ^r late Sheriff of same } County in the Year 1752:.....	0: 19: 9½
	John Smith, late Sheriff of Cecil County.....	49: 8: 5
	Michael Earle, late Sheriff of same County.....	4: 10: 0
	John Paran/late Sheriff of Calvert County.....	11: 17: 6
	Osborn Sprigg, later Sheriff of Prince George's } County	131: 16: 5½
	Joseph Belt, junior, late Sheriff of same County..	18: 10: 0
	Walter Hanson, late Sheriff of Charles County...	23: 15: 0
	Samuel Hanson, late Sheriff of same County.....	2: 11: 6½
	Thomas Hungerford, late Sheriff of same County	22: 7: 4½
	John Hanson, late Sheriff of same County.....	1: 8: 2
	William Manduit, late Sheriff of P: Geo: County.	59: 19: 4½
	John Cooke, late Sheriff of same County.....	96: 6: 7½
		<hr/> £585: 8: 3

p. 130 Your Committee take Leave to observe that the Ballance of £47..10..5½ mentioned in the Report of October Session 1753, to be due from M.^r Hanson as late Sheriff of Charles County for ordinary Licenses, was occasioned as your Committee apprehend, by an Error committed by the Committee that made the Report in charging M.^r Hanson with more Licenses than appear by the Clerk's Lists to be due from him, and therefore your Committee have proceeded to state the said Hanson's Account for the whole time he was Sheriff, according to the Lists returned by the Clerk, and the Payments made by him to the Commissioners of the Paper Currency Office which Account follows in these Words and figures/viz.^t

Sam: Hanson late Sheriff of Charles County.

	D. ^r	£.. s.. d..
1744 To Licence Money p. List from March Court } 1743. to November Court 1744.....		50.. 0.. 0
1745 To. ditto from March Court 1744. to Nov. ^r 1745.		27..10.. 0
1747 To ditto from March Court 1746. to Aug. ^t Court } 1747.		30.. 0.. 0
1750 To ditto from Nov. ^r 1748. to August 1750.....		57.. 1.. 2..
To fine received of Elias Smith in 1748. Nov. } Court omitted in Clerk's List.....		2..10.. 0
To Edward Smoots Fine for selling Liquor with- } out Licence Nov. ^r Court 1749.....		2..10.. 0
To Going Lamphiers fine March Court 1749. } omitted in Clerk's List.....		1.. 0..10
		<hr/> £170..12.. 0

C. ^r	
1750. By Commission and 5. p. Cent on £170.. } 12..0..	8..10.. 7
By Cash paid the Com. ^{rs} Sep. ^r 10. th 1746.....	47..10.. 0
By ditto May 30. th 1747.....	26.. 2.. 6
By ditto Oct. ^r 7. th 1748.....	23..11.. 0
By ditto Nov. ^r 21. st 1750.....	35.. 4.. 1½
By ditto Sep. ^r 13. th 1753.....	27.. 2.. 3
By Ballance due.....	2..11.. 6½
	<hr/>
	£170..12.. 0

U. H. J.
Liber No. 35
October 8

Your Committee find that there is also due from several Sheriffs for Ordinary Licenses. &c. as appears by Lists returned by the County Clks since the Report in October 1753. the Sum of £479.. 0..74.. as p. the following Accounts.

Ephraim Waggaman late Sheriff of Worcester County.

D. ^r		£	s	d
To the Amount of the ordin. ^y Licenses 1755. as } as p. Clks List returned.....		19..	15..	0
		<hr/>		
		£19..	15..	0

C. ^r		£	s	d
By Commission at 5. p. C. ^t		0..	19..	9
Ballance due		18..	15..	3
		<hr/>		
		£19..	15..	0

William Hopper Sheriff of Queen Anns County.

p. 131

D. ^r		£	s	d
To the Amount of the Ordinary Licenses 1755. as } p. Clks. List returned.....		46..	13..	4
		<hr/>		
		46..	13..	4

C. ^r		£	s	d
By Commission at 5. p. Cent.....		2..	6..	8
Ballance due		44..	6..	8
		<hr/>		
		46..	13..	4

U. H. J.
Liber No. 35
October 8

George Gordon late Sheriff of Frederick County.

	D. ^r	£	s	d
To Ballance as p ^r : Report in Oct. ^r Session 1753...		61..	11..	0½
Ballance due		56..	8..	11½
		<hr/> £118.. 0.. 0 <hr/>		

	C. ^r	£	s	d
By Mony paid		118..	0..	0
		<hr/> £118.. 0.. 0 <hr/>		

Ditto.

	D. ^r	£..	s..	d..
To List of Ordinary Licenses for the Year 1751.				
not charged in the former Report. the List not		46..	0..	10
being then returned by the Clerk.....				
Ballance due		12..	14..	2
		<hr/> £58..15.. 0.. <hr/>		

	C. ^r	£	s	d
By Ballance brought down.....		56..	8..	11½
By Commission on £46..0..10.. at 5. p. Cent.....		2..	0..	6½
		<hr/> £58..15.. 0 <hr/>		

Ditto.

	D. ^r	£..	s..	d..
To List of Ordinary Licenses 1752. which was not				
returned by the Clerk when the former Report		52..	10..	0
was made				
		<hr/> £52..10.. 0 <hr/>		

	C. ^r	£..	s..	d..
By Ballance brought down.....		12..	14..	2
By Commission on £52..10..0 at 5. p. C. ^t		2..	12..	6
Ballance due		37..	3..	4
		<hr/> £52..10.. 0 <hr/>		

William Young late Sheriff of Baltimore County.

U. H. J.
Liber No. 35
October 8

D. ^r		£	s	d
To Ordinary Licenses granted in the Year 1753.	}	52..	9..	8
as p. Clerks' List.....				
		<hr/> £52.. 9.. 8		

C. ^r		£..	s..	d
By Commission at 5. p. Cent.....		2..	12..	5 $\frac{3}{4}$
1754. Sep. ^r 25. th By Mony paid the Commissioners		45..	2..	6
Ballance due		4..	14..	8 $\frac{1}{4}$
		£52.. 9.. 8		

Ditto.

p. 132

	D. ^r	£	s	d
To the Ballance bro. ^t down To Ordinary Licenses	}	66..	15..	0
granted in the Year 1754. as p. Clk's List...				
		£71..	9..	8 $\frac{1}{4}$

C. ^r				
By Commission on £66..15..0 at 5. p. C. ^t		3..	6..	9
Ballance due		68..	2..	11 $\frac{1}{4}$
		£71.. 9.. 8 $\frac{1}{4}$		

Ditto.

D. ^r		£	s	d
To Ballance brought down.....		68..	2..	11 $\frac{1}{4}$
To Ordinary Licenses granted in the Year 1755	}	54..	5..	0
as p. Clerk's List.....				
		£122..	7..	11 $\frac{1}{4}$

C. ^r				
By Commission on £54..5..0. at 5. p. Cent.....		2..	14..	3
Ballance due		119..	13..	8 $\frac{1}{4}$
		£122.. 7.. 11 $\frac{1}{4}$		

Charles Christie Sheriff of Baltimore County.

D. ^r		
To Mony paid you for Ordin. ^y Licences 175	}	4..13.. 4
as p: Clk's List.....		
		<hr/> £4..13.. 4

U. H. J.
Liber No. 35
October 8

C.^r

By Commission at 5. p: Cent.....	0.. 4.. 8
Ballance due	4.. 8.. 8
	<hr/> £4..13.. 4

John Cooke late Sheriff of Prince George's County.

D.^r

	£ s d
To List of Ordinary Licences from Mar Court } 1752. and November Court 1753.....}	49..15.. 6
	<hr/> £49..15.. 6

C.^r

	£ s d
By Commission on £49..15..6 at 5. p: Cent.....	2.. 9.. 9 $\frac{1}{4}$
Ballance due	47.. 5.. 8 $\frac{3}{4}$
	<hr/> £49..15.. 6

Turner Wotton Sheriff of Prince Geo: County:

D.^r

	£ s d
To the Amount of the List of Ordinary Licences, } granted from March Court 1753. to Nov. ^r } Court 1753. both inclusive.....}	60.. 0.. 0
To ditto from March Court 1754. to Nov. ^r Court } 1754. both inclusive.....}	62.. 5.. 10
To ditto from March Court 1755. to August Court } 1755, both inclusive.....}	66.. 4.. 2
	<hr/> £188..10.. 0

C.^r

	£ s d
By Commissioner on £188..10..0.. at 5. p Cent...	9.. 8.. 6
Ballance due	179.. 1.. 6
	<hr/> £188..10.. 0

p. 133 Meveril Lock, Sheriff of S.^t Mary's County.

D.^r

To the Amount of the Ordinary Licences, granted } in the Year 1751. as p: Clerk's List.....}	7..10.. 0
To ditto in the Year 1752.....	3..15.. 0
To ditto in the Year 1755.....	3..10.. 0
	<hr/> £14..15.. 0

C.^r

By Commission on £14..15..0.. at 5. p: Cent.....	0..14.. 9
Ballance due	14.. 0.. 3..

U. H. J.
Liber No. 35
October 8

£14..15.. 0

Philip Barton Key, late Sheriff of S.^t Mary's County.D.^r

	£	s	d
To the Amount of the Ordinary Licences granted in } 1754. as p: Clk's: List.....	5..	0..	0
	£5..	0..	0

C.^r

	£	s	d
By Commission on £5: at 5: p: C. ^t	0..	5..	0
Ballance due	4..	15..	0
	£5..	0..	0

John Raitt Sheriff of Ann Arundell County.

D.^r

	£	s	d
To the Amount of the Ordinary Licences 1755. } as p. Clk's List.....	97..	19..	8
To Joshua Dorsey's Fine for selling Liquor with- } out Licence as p: ditto:.....	10..	0..	0
	£107..	19..	8

C.^r

	£	s	d
By Commission at 5. p: C. ^t	5..	7..	11 ³ / ₄
By Mony paid.....	93..	1..	2
Ballance due	9..	10..	6 ¹ / ₄
	£107..	19..	8

Your Committee further find that there is due from several Sheriffs, on Account of the Duty on Carriage Wheels, by the Act for his Majesty's Service past in July 1754. the sum of £126..4..3.. as p: the following Accounts/viz.^t

U. H. J.
Liber No. 35
October 8

William Raisin of Sheriff of Kent County:

		D. ^r	£.	s.	d.
1755	To the Duty on 174 Carriage Wheels, as p: Clerk's } List		43..	10..	0
			£43..10.. 0		

		C. ^r	£.	s.	d.
	By Commission at 2½ p: C. ^t on 43..10..0.....		1..	1..	9
	Ballance Due		42..	8..	3
			£43..10.. 0		

George Dent, Sheriff of Charles County.

		D. ^r	£	s	d
1755	To Duty on 82. Carriage Wheels, as p: Clerk's } List		20..	10..	0
			£20..10.. 0		

		C. ^r	£..	s..	d..
	By Commission on £20..10..0.. at 2½ p: Cent....		0..	10..	3
	Ballance due		19..	19..	9
			£20..10.. 0		

p. 134 Ephraim Waggaman, late Sheriff of Worcester County.

		D. ^r	£	s	d
1754	To Duty on 6. Carriage Wheels as p: Clks. List..		1..	10..	0
			£1..10.. 0		

		C. ^r	£	s	d
	By Commission on £1..10..0 at 2½ p: Cent.....		0..	0..	9
	By Error in Commission in his Account of Ordinary Licenses		0..	0..	9
	Ballance due		1..	8..	6
			£1..10.. 0		

William Allen, Sheriff of Somerset County.

U. H. J.
Liber No. 35
October 8

D. ^r	£	s	d	
To Duty on 22. Carriage Wheels, as p: Clk's List	5..	10..	0	1755
To Ditto on two Ditto, belong. ^s to John Handy/}	0..	10..	0	
omitted				
To D. ^o on two Ditto, his own/omitted.....	0..	10..	0	
	£6..	10..	0	

C. ^r	£	s	d
By Commission at 2½ p. Cent: on £6..10..0.....	0..	3..	3
By Mony paid.....	5..	7..	6
Ballance due	0..	19..	3
	£6..	10..	0

William Hopper, Sheriff of Queen Ann's County.

D. ^r	£	s	d	
To Duty on 98. Carriage Wheels as p. Clk's List..	24..	10..	0	1755
	£24..	10..	0	

C. ^r	£	s	d
By Commission at 2½ p: Cent. on £24..10..0.....	0..	12..	3
Ballance due	23..	17..	9
	£24..	10..	0

N. B. In the Clerks List for Queen Ann's County Notice is taken that no Return is made from the Constable of the lower Hundred of Kent Island, of the Wheel Carriages in that Hundred.

Turner Wotton Sheriff of Prince Georges County.

D. ^r	£	s	d	
To Duty on the 114. Carriage Wheels as p: Clks: }	28..	10..	0	1755
List				
	£28..	10..	0	

C. ^r	£	s	d
By Commission at 2½ p: C. ^t on 28..10..0.....	0..	14..	3
Ballance due	27..	15..	9
	£28..	10..	0

U. H. J.
Liber No. 35
October 8

John Dennis jun.^r Sheriff of Worcester County.

D.^r

		£	s	d
1755	To Duty on 4. Carriage Wheels, as \mathfrak{p} : Clks List	1..	0..	0
		<hr/> £1.. 0.. 0 <hr/>		

C.^r

	By Commission at $2\frac{1}{2}$ \mathfrak{p} : C. ^t	0..	0..	6
	Ballance due	1..	0..	0
		<hr/> £1.. 0.. 0 <hr/>		

p. 135 Charles Christie Sheriff of Baltimore County

D.^r

		£	s	d
1756	To Duty on 36. carriage Wheels as \mathfrak{p} : Clerk's List	9..	0..	0
		<hr/> £9.. 0.. 0 <hr/>		

C.^r

		£	s	d
	By Commission at $2\frac{1}{2}$ \mathfrak{p} : C. ^t on £9..0..0:.....	0..	11..	6
	Ballance due	8..	15..	6
		<hr/> £9.. 0.. 0 <hr/>		

N. B. The above List appears to the Committee to be made for the Year 1755. and dated 1756. by Mistake.

N. B. In the several Counties following (to wit) Ann Arundell, Frederick, S.^t Mary's, Cæcil, and Calvert Counties, the Clerks have not returned Lists of the wheel Carriages for the Year 1755.

Your Committee further observe that the Clerk of Cæcil County has made no Return of Ordinary Licenses since the Year 1751. that the Clerks of S.^t Mary's and Talbot Counties have returned no Lists of Ordinary Licences since the Year 1753. that the Clerk of Kent County has returned no List of Ordinary Licences for the Year of 1754. and that the Clerk of Frederick County has returned no List of Ordinary Licenses for the Year 1755.

Your Committee likewise observe that no Account, has been rendered or Mony paid by the naval Officer of Patuxent since 14.th March 1755.

Your Committee upon inspecting the Report made in 1748. find the following Entry (to wit) "Your Committee have received Information from M.^r Nicholas Hyland, a Member for Cæcil County,

that of the thirty Shillings p Taxable issued to the several Counties there still remains as the said M.^r Hyland has been informed in the Hands of the Widow of M.^r William Rumsey, late of the County aforesaid deceased near one hundred Pounds, which she is ready to pay when required of which Sum your Committee observe no part has ever been paid into the Office.

U. H. J.
Liber No. 35
October 8

Your Committee further observe that the Office Books, remain in the same obscure and irregular State as were represented in our Report of the last Session so that no Estimate can be made of the Produce of the Funds, raised by several Acts of Assembly, without great Trouble and time, no Accounts being raised in the said Books for the several Persons concerned in the Collection of Mony arising from the said Funds: though in Justice to the Commissioners, we must observe that their time has been so much engaged since the last session in their attendance upon the new Mony, that it has not we presume been in their Power, to put the Books into that regular state which is so essentially necessary. p. 136

All which is submitted to the Consideration of both Houses of Assembly:

Richard Lee. Walter Dulany, John Bracco. John Handy
John Henry. William Hynson. Daniel of S.^t Thomas Jenifer. Josi. Beall.

Memorandum. Mony paid into the Office since the closing of the Books.

	£	s	d
By William Hedges, Sheriff of Cecil County for } Ordinary Licenses,	50..	10..	3½
By Ephraim Waggaman, late Sheriff of Worcester } County for ditto.....	18..	17..	9½
By ditto for Wheel Carriages.....	1..	8..	6
By John Leeds Clk: of Talbot County for pedlars } Licences	15..	12..	0
	<hr/> £91.. 8.. 7 <hr/>		

In the Records and Proceedings of the Provincial Court of the Province of Maryland, amongst other things, is contained as follows/viz.^t/ [1747, 1748, 1749.]

The Lord Proprietary } Maryland ss. Edward Trippe late of Dor-
ver } chester County Gentleman, otherwise called
Edward Trippe } Edward Trippe of Dorchester County in
the province aforesaid was summoned to answer unto the Right honourable the Lord Proprietary of the aforesaid Province, of a plea that he render unto him the full and just quantity, of two hundred thousand Pounds of good, sound, merchantable leaf Tobacco and

U. H. J.
Liber No. 35
October 8

Cask which to him he owes and unjustly detains, &c. and whereupon Henry Darnall Esq.^r Attorney General of the said Lord Proprietary who for the said Lord Proprietary in this Behalf followeth, saith, that whereas the said Edward Trippe the twelfth Day of July 1740. at Dorchester County aforesaid by his certain Writing obligatory acknowledged himself to be held and firmly bound unto the said Lord Proprietary, in the aforesaid full sum and just Quantity of two hundred thousand pounds of good, sound, merchantable leaf Tobacco and Cask to be paid unto the said Lord Proprietary when afterwards he should be thereunto required, nevertheless the aforesaid Edward Trippe although often thereunto required, the said Sum of two hundred thousand Pounds of good sound merchantable Leaf Tobacco and Cask, or any part thereof to the said Lord Proprietary, hath not rendred but the same to the said Lord Proprietary to render hath hitherto refused, and still doth refuse to the Damage
p. 137 of the said Lord Proprietary five hundred Pounds Current Mony of Maryland, and thereupon he brings suit, and so forth, and the said Attorney General of the said Lord Proprietary, brings here into Court the Writing Obligatory aforesaid sealed with the Seal of the said Edward Trippe which the Debt aforesaid in Form aforesaid witnesseth whose date is the Day and Year aforesaid.

H. Darnall

And the aforesaid Edward Trippe by Charles Goldsborough his Attorney comes and defends the force and Inquiry when &c. and prays a Hearing of the Writing obligatory aforesaid, and it is read to him, he prays also a hearing of the Condition of the same Writing Obligatory, and he hath it in these Words (viz.^t) The Condition of the above Obligation is such that if the above bounden Edward Trippe do well and truly serve his Lordship the Right honourable the Lord Proprietary of the aforesaid Province his Heirs and Successors in the Office of high Sheriff of the County of Dorchester within the Province aforesaid, and in all Things well and faithfully execute the same Office, and also shall render unto his said Lordship and others his Officers a true, faithful, and perfect Account of all and singular his said Lordship's Rights, and Dues, and to his Officers a true and just Account of their Fees that he shall or may be entrusted with by his said Lordships Governour and other his Officers within this Province to receive and collect and his Account to his said Lordship his Heirs and successors and to his and their Governor here for the time being for the Fines, and Forfeitures and other Dues belonging to his said Lordship's Governor, as also his Account of all Fees due, or Sums of Money and Tobacco due to any of the good People within this Province for any Sum or Sums of Mony and Tobacco, wherewith the said Sheriff shall be entrusted during the time of his Sherifalty for this present, or to such of them as shall receive the same shall pass & render by the

tenth Day of May next ensuing the date thereof, and in all other things as Sheriff of the County of Dorchester shall behave himself well and honestly to all Persons, according to the best of his Power Skill, and Knowledge, then this Obligation to be void and of none Effect else to stand in full Force, Strength and Virtue, which being read and heard the said Edward Trippe by his said Attorney prays Leave to imparle hereunto until next Court, and he hath it, and the same day is given to the said Henry Darnall Esq.^r his Lordship's Attorney General who &c. also.

U. H. J.
Liber No. 35
October 8

At which said next Court, to wit, the fourteenth Day of April Anno Domini 1747. comes again as well the said Henry Darnall Esquire his Lordship's Attorney-General who &c. as the said Edward Trippe by his Attorney aforesaid, and the said Edward Trippe by his said Attorney prays further Leave to imparle hereunto until next Court, and he hath it, and the same Day is given to the said Henry Darnall Esq.^r his Lordship's Attorney General who &c. also: p. 138

At which said next Court to wit the twentieth Day of October Anno Domini 1747. comes again as well the said Henry Darnall Esquire his Lordship's Attorney General who &c: as the said Edward Trippe by his Attorney aforesaid, and the said Edward Trippe by his said Attorney prays further Leave to imparle hereunto until next Court and he hath it, and the same day is given to the said Henry Darnall Esq.^r his Lordship's Attorney General who &c. also:

At which said next Court to wit the 17.th day of May Anno Domini 1748, comes as well the said Henry Darnall Esquire his Lordship's Attorney General who &c. as the said Edward Trippe by his Attorney aforesaid and the said Edward Trippe by his said Attorney prays further Leave to imparle hereunto until next Court and he hath it, and the same Day is given to the said Henry Darnall Esquire his Lordship's Attorney General who &c. also:

At which said next Court to wit the eighteenth day of October Anno: Domini 1748. comes again as well the said Henry Darnall Esq.^r his Lordship's Attorney General who &c. as the said Edward Trippe by his Attorney aforesaid whereupon as well the said Henry Edward Trippe by his Attorney aforesaid suggest to the Court here that a material Evidence in the said Cause is beyond seas without whose Testimony they cannot come to Trial, thereupon the said Cause is continued until next Court:

At which said next Court to wit the 16.th Day of May Anno Domini 1749: comes again as well the said Henry Darnall Esquire his Lordship's Attorney General who &c. as the said Edward Trippe by his Attorney aforesaid, and the said Edward Trippe by his said Attorney as before defends the Force and Inquiry when &c. and

U. H. J.
Liber No. 35
October 8

p. 139

saith that the aforesaid Lord Proprietary, his Action aforesaid thereof against him to have and maintain ought not, because he saith that after the making the Writing Obligatory aforesaid, and before the suing out of the original Writ in the Plea aforesaid the said Edward did well and truly serve the said Lord Proprietary in the Office of high Sheriff of the County of Dorchester, within the Province aforesaid and in all things well and faithfully did execute the same Office, and also did render unto his said Lordship and other, his Officers, a true faithful and perfect Account of all and singular his said Lordship's Rights and Dues, and to his Officers a true and just Account of their ffees, that he was entrusted with by his said Lordship's Governour and other his Officers within this Province to receive and Collect and his Acco.^t to his said Lordship and to his Governour here for the time being for the Fines and Forfeitures and other Dues belonging to his said Lordship's Governour as also his Account of all Fees, Dues, and Sums of Money or Tobacco due to any of the good People within this Province, or any Sum or Sums of Money or Tobacco wherewith the said Edward was entrusted during the time of his Shrievalty, for that present or to such of them as did require the same, did pass and render by the tenth day of May then next ensuing the date of the said Writing, Obligatory, and in all other Things as Sheriff of the County of Dorchester did behave himself well and honestly to all Persons, according to the best of his Power, Skill, and Knowledge, and this he is ready to verify, wherefore he prays Judgment if the aforesaid Lord Proprietary, his Action aforesaid thereof against him to have and maintain ought &.

And the said Attorney General saith that the said Lord Proprietary by any thing above in pleading alledged from having his Action aforesaid ought not to be precluded, because he saith that the aforesaid Edward was from the aforesaid twelfth Day of July in the year of our Lord 1740. to the 19.th day of August in the Year of Our Lord 1741. Sheriff of Dorchester County aforesaid (to wit) at the said County, and that during the Continuance of the said Edward in the said Office he the said Edward by an Act of Assembly of this Province made and passed at a session of Assembly begun and held at the City of Annapolis the 23.^d day of April in the Year of our Lord 1740: entituled, An Act for issuing and paying out of the office of the Commissioners, or Trustees for emitting Bills of Credit, established by Act of Assembly the Sum of two thousand five hundred and sixty two pounds, ten Shillings Current Money in Bills of Credit to be applied for the Encouragement of Persons, voluntarily enlisting themselves in his Majesty's Service, was as Sheriff of the said County at the County aforesaid authorized, and required to collect and levy from the several Taxables of the said County, the Sum of £35..9..8.. current Mony and the

p. 140

same to pay to the Commissioners, or Trustees aforesaid on or before the last Day of May next after such Collection together with his the said Edwards salary of five Pounds p Cent thereon, as by the said Act Relation thereunto being had may among other things more fully appear, By virtue whereof the Sum of thirty seven Pounds five Shillings, and one Penny three Farthings, current Mony of the aforesaid Edward afterwards (to wit) on the tenth day of May in the Year of Our Lord 1741. at the County aforesaid as Sheriff as aforesaid of and from the several Taxables of the said County did collect and levy, and which last mentioned Sum the said Edward ought by the Duty of his said Office, after deducting £1..15..5 $\frac{3}{4}$ thereout for his said Salary to have paid to the said Commissioners or Trustees, on or before the last Day of the aforesaid May 1741: aforesaid

U. H. J.
Liber No. 35
October 8

And the said Attorney General further saith, that during the Continuance of the said Edward in the said Office, he the said Edward by one other Act of Assembly of this Province, made and passed at a Session of Assembly begun and held at the City of Annapolis aforesaid the 7.th Day of July in the Year 1740. aforesaid intituled, An Act for raising & issuing Money for maintaining his Majesty's Forces to be raised in this Province, and for transporting them to the Place of Rendezvous in the West Indies, was as Sheriff of the said County at the County afores.^d required and obliged by virtue of his said Office to receive and collect from the several Ordinary Keepers in the said County, the Sum of £15 Current Money to be by them paid for obtaining Licences to keep Ordinary in the County aforesaid, and the same to pay to the Commissioners or Trustees aforesaid for which collecting and paying the aforesaid Edward was by the said Act impowered to take and receive a Commission after the Rate of five Pounds p: Centum, and no more as by the said last mentioned Act Relation being thereunto had may amongst other Things more fully appear: which Sum of fifteen Pounds Current Money he the said Edward afterwards, to wit, on the 10.th day of May in the year of our Lord 1741. aforesaid, at the County aforesaid as Sheriff as aforesaid of and from the several Ordinary Keepers in the said County did receive and collect and which last mentioned Sum the said Edward ought by the Duty of his said Office after deducting fifteen Shillings Current Money thereout for his said Commission to have paid to the said Commissioners or Trustees: nevertheless the aforesaid Edward the Sum of £35..9..8: Current Money Residue of the aforesaid Sum of £37..5..1 $\frac{3}{4}$ or the Sum of £14..5..0.. like Money Residue of the aforesaid Sum of £15: Current Money to the Commissioners or Trustees aforesaid (although often required) hath not paid, but the same to them to pay hath always hitherto refused, and still doth refuse contrary to the true Intent and Meaning of the Condition of

p. 141

U. H. J. the said Writing, and this the said Attorney General is ready to
 Liber No. 35 verify &c. and therefore prays Judgment for the Debt aforesaid
 October 8 together with the damage sustained by Occasion of the detention
 of that Debt to the said Lord Proprietary to be adjudged &c.

And the aforesaid Edward protesting that the Replication aforesaid and the Matter therein contained are altogether insufficient in Law to which he has no Need, nor by the Law of the Land is he in any manner held to answer for Plea by way of Rejoinder, nevertheless he saith that before the Impetration of the original Writ in this Cause to wit the tenth day of May in the year of our Lord 1741. at the County aforesaid he the said Edward did pay unto the Commissioners or Trustees aforesaid the said Sums of £35..9..8.. Current Mony of Maryland and £14..5..0.. like Mony, and of this he putts himself upon the Country and the said Henry Darnall Esquire his Lordship's Attorney General who &c: also.

Whereupon for trying the Issue aforesaid Command is given to the Sheriff of Ann Arundell County that he immediately cause to come here twelve good and lawful Men of his Bailiwick, by whom &c. who neither &c. to recognizance &c. because as well &c. of which said Precept the said Sheriff to wit, John Gassaway Esquire makes Return that he has here ready twelve &c. as by his said Precept he was commanded; to wit, Lyde Goodwin, John Merriken, John Bowie John Burgess, John Watkins, Basil Dorsey, William Ijams, John Browne, William Elbert, Samuel Chambers, David Evans, and Edward Gather, who being duly elected and sworn to say the Truth in the Premises upon their Oaths do say, that the
 p. 142 said Edward did pay unto the Commissioners, or Trustees aforesaid, the said Sums of £35..9..8 Current Mony of Maryland, and £14..5..0.. like Money in manner & form as the aforesaid Edward Trippe, above by pleading hath alledged and thereupon Henry Darnall Esquire Attorney General of the said Lord Proprietary who &c. prays that the Verdict aforesaid may be set aside for that Lyde Goodwin one of the Jurors who found the said Verdict was not a Freeholder, or qualified by Law to serve as a Juror and that a new Trial for this Cause may be awarded.

Whereupon and for that the Court here are not advised of rendering their Judgment of and upon the Verdict and Premises aforesaid, Day therefore is given as well to the said Henry Darnall Esquire his Lordship's Attorney General who &c. as to the said Edward Trippe to hear thereof their Judgment until next Court for that the said Court as yet are not &c.

At which said next Court to wit the seventeenth day of October Anno Domini 1749. comes again as well the said Henry Darnall Esquire his Lordship's Attorney General who &c. as the said Edward Trippe by his Attorney aforesaid, whereupon all and singular the

U. H. J.
Liber No. 35
October 8

Premises aforesaid, being by the Court here, seen, heard, fully understood, and matter Deliberation thereupon had, and for that it seems to the Court here that the said Lyde Goodwin was not a freeholder, or a Person qualified by Law to serve as a Juror, it is therefore by the Court here ordered, & adjudged that the said Verdict be set aside and held for Nought and that a venire facias de novo issue to the Sheriff of Ann Arundell County.

And thereupon for trying the Issue aforesaid, Command is a new given to the Sheriff of Ann Arundell County that he immediately cause to come here twelve good and lawful Men of his Bailiwick by whom &c. who neither &c. to recognize &c. because as well &c. of which said Precept the said Sheriff to wit John Gassaway Esquire makes Return that he has here ready twelve &c. as by his said Precept he was commanded (to wit) Thomas Jones, John Hamil, Ephraim King, Joseph Dashiell, Benjamin Welsh, Samuel Howard, George Johnson, William Bealle, Thomas Beall, Samuel Lockwood, James Maccubbin, and Samuel Lovejoy, who being duly elected, tried, and sworn to say the Truth in the Premises, upon their Oath do say that the said Edward did pay unto the Commissioners, or Trustees aforesaid the said Sums of £35..9..8.. current Money of Maryland and £14..5..0.. like money in manner and Form so as the aforesaid Edward above by pleading hath alledged.

p. 143

Therefore it is commanded by the Justices here that the said Lord Proprietary take Nothing by his Writ aforesaid, but that the said Edward go thereof without Day &c.

Memorandum, the following Bill of Exception was tendered to the Court before the Jury went from the Barr (viz.^t) Lord Proprietary against Edward Trippe on his Bond of 12. July 1740. in the Provincial Court in this Cause, the Defendant having given several Pieces of Evidence to prove by Circumstances the Payment of the Money to the Commissioners in the Proceedings mentioned pursuant to the Issue on their Part the Council for the Plaintiff after the whole Evidence on Defendants part hath been heard and read to the Jury pray leave to demur to the whole of the Defendants Evidence so as aforesaid given as being insufficient to prove the Issue, on the part of the Defendant and tendered his Demurrer ready drawn up, but the Court were of Opinion that the Plaintiff should not demur to the Evidence, and accordingly refused to suffer the said Demurrer to be filed or to receive the same to which Opinion of the Court the Plaintiff prays leave to accept, and that the Judges will to this their Exception offer their Seals, agreeable to the Statute.

Geo. Dent Seal

Whereupon the said Henry Darnall Esquire his Lordship's Attorney General who &c. prays Leave to appeal from the Judgment

U. H. J aforesaid so as aforesaid rendered to his Lordship's high Court of
 Liber No. 35 Appeals, and the same is granted:
 October 8

Memorandum Robert Gordon Esquire withdrew from the Bench at the first Trial hereof, and Robert Gordon and George Steuart Esquires withdrew from the Bench on the second Trial.

Test R Burdus. Clk.

A true Copy from Lib: E. J. N.^o 11, Fo: 384: 385. 386. 387. 388. & 389. one of the Record Books of Judgments, belonging to the Secretary's Office of Maryland. p.

W. Sligh. Clk

p. 144 Two Bills from the lower House by Messieurs Hynson and Hawkins the one entituled, A supplementary Act to the Act, intituled, An Act for the Speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis printer and the other a supplementary Act to an Act intituled, An Act for granting a Supply of forty thousand Pounds for his Majesty's Service and striking £34015..6..0: thereof in Bills of Credit, and raising a Fund for sinking the same. thus endorsed.

By the lower House of Assembly 8.th of October 1756:

Read the first and second time by especial Order and will pass.

Signed p: Order: M Macnemara Cl: Lo: Ho:

Read the first and second time in this House by an especial Order, passed and sent to the lower House by Richard Lee Esquire.

An engrossed Bill from the lower House by Messieurs Dennis & Wallis intituled, An Act empowering the Trustees of Somerset County to levy not exceeding twenty thousand Pounds of Tobacco upon the taxable Inhabitants of said County to be applied to the Purpose therein directed thus subscribed.

Read and assented to by the lower House of Assembly.

Signed p. Order M Macnemara Clk: Lo: Ho:

Read and assented to by this House, and ordered to be so subscribed.

Adjourned 'till 3. of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Messieurs Dennis and Scarborough attend with M.^r Levin Gale a Member elected for Somerset County in the Room of Col: Robert Jenckins Henry called to the upper House in order to see him

qualified who takes the several Oaths to the Government appointed to be taken by Act of Assembly repeats, and subscribes the Abjuration and Test and then withdraw.

U. H. J.
Liber No. 35
October 8

A Bill from the lower House by Messieurs Traverse and Sprigg entitled, An Act for continuing an Act, entitled, An Act to prevent the Exportation, or carrying out of this Province, Ammunition Warlike Stores or Provisions of any kind towards supplying the French or their Allies thus endorsed. p. 145

By the lower House of Assembly 8.th of October 1756.

Read the first and second time by an especial Order and will pass :

Signed p. Order : M Macnemara Clk : Lo : Ho :

Read the first and second time in this House by especial Order passed, and sent to the lower House by Col : Lloyd

An engrossed Bill from the lower House by Mess.^{rs} Baker and Worthington, entitled, An Act for the relief of sundry of the Inhabitants of Charles County thus subscribed.

8.th October 1756. Read and assented to by the lower House of Assembly

Signed p. Order. M Macnamara Clk : Lo : Ho :

Read and assented to by this House, and ordered to be so subscribed.

Adjourned 'till to Morrow Morning ten of the Clock :

Saturday Morning 9.th of October 1756.

October 9

This House met again according to Adjournment

Present as Yesterday and Colonel Hammond.

Three engrossed Bills from the Lower House by Messieurs Gray and Ward one entitled, A Supplementary Act to the Act intituled, An Act for the speedy and effectual Publication of the Laws of this province, and for the Encouragement of Jonas Green of the City of Annapolis Printer another intituled, A supplementary Act to the Act intituled, An Act for granting a Supply of forty thousand Pounds for his Majesty's Service and striking £34015..6..0 : thereof in Bills of Credit, and raising a Fund for sinking the same, and another intituled An Act for further continuing an Act, entitled, An Act to prevent the Exportation, or carrying out of this Province, Ammunition, or Warlike Stores or Provisions of any kind towards supplying the French, or their Allies : severally thus subscribed :— 8.th October 1756. read and assented to by the lower House of Assembly :

Signed p Order MMacnemara Clk : Lo : Ho :

U. H. J. Read and assented to by this House, and ordered to be so sub-
 Liber No. 35 scribed.
 October 9

Richard Lee Esquire from the Committee appointed to inspect
 the Accounts and Proceedings of the Commissioners of the paper
 p. 146 Currency brings in the following Report.

Maryland ss :

At a Committee of both Houses of Assembly appointed to inspect
 the Office, and Proceedings of the Commissioners for emitting Bills
 of Credit, established by Act of Assembly—October 6.th 1756. were
 present the honourable Col: Richard Lee Esq.^r of the upper House
 M.^r Walter Dulany, M.^r Josiah Bealle, M.^r Jn.^o Bracco, Captain W.^m
 Hynson, Captain Daniel of S.^t Thomas Jenifer, Captain Jn.^o Gassa-
 way, M.^r Bayne Smallwood, M.^r Henry Casson, M.^r James John
 Mackall, M.^r Thomas Reynolds M.^r Geo: Frazier, Captain Henry
 Travers, M.^r John Hawkins jun.^r and M.^r William Govane of the
 lower House, who make Choice of and appoint the honourable Col:
 Richard Lee Chairman, and Richard Dorsey their Clerk, and proceed
 to make the following Report.

Your Committee find that there remains in the Iron Chest N.^o 2.
 of the Sum of £4015..6..0. which was signed and not circulated,
 and made current by an Act of Assembly, intituled, An Act for
 granting a Supply of forty thousand Pounds for his Majesty's Ser-
 vice & the Sum of 1188..6..0. the Commissioners having paid the
 Agents in virtue of the Act aforesaid the Sum of 2826..19..0. as
 appears by their Receipts.

Your Committee have proceeded to count the Money printed in
 pursuance of the aforesaid Act and find the Sum to amount to
 £30,000. the several Species of Bills agreeable to the said Act.

Which is submitted to the Consideration of both Houses of As-
 sembly. Richard Lee, Walter Dulany, Josiah Bealle, Jn.^o Bracco,
 W.^m Hynson, Daniel of S.^t Thomas Jenifer, John Gassaway Bayne
 Smallwood, Henry Casson, James, John Mackall, Thomas Reynolds
 Geo: Frazier, Jn.^o Hawkins jun.^r W.^m Govane.

The several Paper Bills, the originals of which, have passed both
 Houses this Session, are sent to the Lower Houses by Richard Lee
 Esquire.

Col: Hammond and Philip Thomas Esq.^{rs} are sent to the Lower
 House to acquaint the Speaker that his Excellency requires his im-
 mediate Attendance with the Lower House in the upper House to
 see the Bills passed both Houses this Session receive the Assent.

The Lower House attend and by their Speaker present to his
 Excellency the following Bills :

An Act for his Majesty's Service, and further Defence and
 Security of this Province.

An Act empowering the Justices of Somerset County to levy not exceeding twenty thousand pounds of Tobacco upon the taxable Inhabitants of said County to the purpose therein directed.

U. H. J.
Liber No. 35
October 9

An Act for the Relief of sundry of the Inhabitants of Charles County.

A supplementary Act to the Act, intituled, An Act for the speedy and effectual publication of the Laws of this province, and for the Encouragement of Jonas Green of the City of Annapolis printer.

A supplementary Act to an Act intituled, An Act for granting a Supply of £40,000: for his Majesty's Service, and striking 34015.. 6..0. thereof in Bills of Credit, and raising a Fund for sinking the same.

An Act for further continuing an Act, intituled, An Act to prevent the Exportation, or carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any kind towards supplying the French or their Allies.

All which his Excellency passed into Laws in the usual Form by sealing them with the Right Honourable the Lord Proprietary his great Seal at Arms, and subscribing them on Behalf of the Right Honourable the Lord Proprietary of this Province: I will this be a Law.

After which his Excellency was pleased to conclude this Session with the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly.

I have thought fit with the Advice of his Lordship's Council of State to prorogue this Assembly to Thursday the 31. Day of March next, you are therefore to take Notice that you are prorogued to that Day accordingly:

This ends this Session of Assembly begun and held at the City of Annapolis on Tuesday the fourteenth Day of September, and ending the 9.th Day of October following, in the sixth Year of his Lordship's Dominion, and in the thirtieth Year of his Majesty's Reign, Annoque Domini 1756: p. 147

J Ross Cl Up Ho:

PROCEEDINGS OF THE LOWER HOUSE OF ASSEMBLY

L. H. J. Maryland S^{ect}
Liber No. 48
1756
September
14
p. 319

At a Session of Assembly held at the City of Annapolis, on Tuesday the Fourteenth Day of September, Anno Domini One thousand seven hundred and fifty-six, in the sixth Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. (his Excellency Horatio Sharpe, Esq; being Governor), the following Delegates appeared in the Lower House of Assembly, viz.

The Honourable Col.^o Henry Hooper Speaker

For St. Mary's County,

M.^r Thomas Reeder,
M.^r William Hicks.

For Kent County,

Major William Hynson,
Capt. Alexander Williamson,
M.^r Hugh Wallis.

For Anne-Arundel County,

Capt. John Gassaway,
M.^r Charles Carroll.

For Calvert County,

M.^r Thomas Reynolds.

For Charles County,

Capt. Dan. of St. Tho. Jenifer.

For Somerset County,

M.^r John Handy.

For Talbot County,

M.^r John Goldsborough,
M.^r Matthew Tilghman,
M.^r Pollard Edmondson.

For Dorchester County,

Major Henry Travers.

For Baltimore County,

M.^r William Govane.

For Prince Georges County,

M.^r William Murdock,
M.^r George Fraser,
M.^r John Hawkins, junior.

For the City of Annapolis,

Stephen Bordley, Esq;
M.^r Walter Dulany.

For Queen Anne County,

M.^r Robert Lloyd,
Col. Edward Tilghman,
M.^r Henry Casson,
M.^r John Bracco.

For Worcester County,

Col. John Scarborough,
Major Henry Evans,
Col. John Henry,
M.^r Benjamin Handy.

For Frederick County,

M.^r Josiah Beall.

A sufficient Number of Delegates, to compose the Lower House of Assembly, having met at the Stadt-House, Ordered, That M.^r John Goldsborough and M.^r Robert Lloyd do acquaint his Excellency therewith.

L. H. J.
Liber No. 48
September
14

They return and acquaint M.^r Speaker with their having delivered the Message.

Col. Hammond, and Samuel Chamberlaine, Esq; from the Upper House, acquaint M.^r Speaker, That the Governor requires the Attendance of the Lower House immediately in the Upper House.

M.^r Speaker left the Chair, and with the rest of the Members of the Lower House attended the Governor in the Upper House; where his Excellency made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

I have been obliged to call you together, before the Time to which you were Prorogued at the Conclusion of the last Session, by some Letters that I have lately received from one of his Majesty's principal Secretaries of State, and the Earl of Loudoun: By the first I am required to recommend it to you in a particular Manner to make Provision, out of the Fund that is already raised in this Province, for repaying the Masters of such Indented Servants as have been entertained or may enlist in his Majesty's Forces, the Money paid by the said Masters upon the original Contract, in Proportion to the Time such Indented Servant had or may have to serve at the Time of their engaging in his Majesty's Service: That these are his Majesty's Instructions and Expectations, you will see by one of the Letters that will be laid before you; and as nothing but the Interest of your Constituents seems to be consulted thereby, I doubt not but you will, out of Regard to them, as well as in Obedience to his Majesty's Commands, readily appropriate to this Use part of the Sum which was lately granted for his Majesty's Service, and is yet unexpended. By the Earl of Loudoun's Letter, you will find, that the present Situation of Affairs on this Continent lays his Lordship under a Necessity of conjuring and requiring you, in the most earnest and importunate Manner, to levy a Number of Men in this Colony, with the utmost Expedition, for the Regiment which his Majesty has graciously ordered to be raised in America, for the Defence of these Colonies. What makes his Lordship so urgent, and induces him to press you for a Number of Recruits at this Juncture, rather than Aid in any other Shape, you will learn from his Letter: And as his Majesty has signified his Pleasure, and expects you will apply the Money that you have raised or may grant for the Public Service, as the Commander in Chief of his Majesty's Forces on the Continent shall direct, I persuade myself you will not hesitate to appropriate Part of the Money already Granted, in the Manner that his Lordship requires, especially as you must all be convinced, that by

p. 320

L. H. J.
Liber No. 48
September
14

these Means you can most effectually promote his Majesty's Service, and the Welfare and Safety of this and the neighbouring Colonies. On the Receipt of his Lordship's Letter, I sent Instructions to the Commanding Officers of the Militia to enlist Men in their respective Counties for the Royal American Regiment; a Copy of the Instructions I shall lay before you hoping you will make Provision for repaying the Money that might be expended on that Service, and that my ready Compliance with his Lordship's Requisition, will meet with your Approbation.

You will observe, Gentlemen, that we are called on to lay an Embargo on Outward Bound Vessels laden with Provisions, and (as the Northern Governments have already done) to Prohibit, for a Time, the Exportation of any out of this Province: I hope you will immediately proceed to Frame a Bill for this Purpose; and that you will also very speedily enable me to send acceptable Answers to the Letters which you shall have to peruse.

Gentlemen of the Lower House of Assembly,

I have several other Matters to communicate to you, but shall postpone the Mention of them till I understand that you have come to some Determination on those which I have now submitted and recommended to your Consideration.

His Excellency Communicated to M.^r Speaker the following Letters Viz.^t

Duplicate N.^o 1.

Whitehall 13.th March 1756.

Sir

p. 321 The Earl of Loudoun whom the King has appointed Commander in Chief of all his Forces whatsoever in North America being Preparing to set out with all Expedition, together with two Regiments of Foot, a train of Artillery, and a Sufficient Quantity of Warlike Stores which his Majesty has been pleased to Order for the Publick Service in those parts, I am Commanded to Signify to you the Kings Pleasure that you should be ready to give his Lordship and the Troops from England, all the Assistance in your power on their Arrival in North America, Agreeable to the Orders sent you in Sir Thomas Robinson's Letter of 26.th October 1754. and you Correspond with and apply to the Earl of Loudoun on all Occasions in the same manner as you were Directed to do, with the late General Braddock, and Major General Shirley.

It being of great Importance to the Kings Service that all possible Facilities should be Granted for the Encouragement of Such persons as may be inclined to Inlist in the Kings Troops, it is his Majestys Pleasure that you should particularly Recommend it to your Assembly to make Provision out of Such Funds as already exist, or may hereafter be Raised for the Kings Service for Repay-

ing the Masters of Such Indented Servants as shall Engage in his Majesty's Service, the Money paid by the Said Masters upon the Original Contract, in Proportion to the time, Such Indented Servants have to Serve, and you will at all times Discourage the Harboursing Concealing or Assisting such as shall desert the Service, and also use all means for Discovering and apprehending Such Deserters, you will likewise use your best Endeavours to prevail on your Assembly to appropriate Such part of the Funds now Raised, or which shall be raised for the Publick Service to be Issued and applied to the General Service, in Such Manner as the Commander in Chief shall Direct.

L. H. J.
Liber No. 48
September
14

The King would have you Recommend it, in the Strongest Manner to your Council and Assembly, to pass Effectual Laws for Prohibiting all Trade and Commerce with the French and for Preventing the Exportation of Provisions of all kinds to any of their Islands or Colonies.

I am

Governor of Maryland./

Sir

Your Most Obedient

Humble Servant

H Fox

Duplicate N.º 2.

Whitehall 13.th March 1756.

Sir,

I have Acquainted you in my Letter of this Date, with the King's having appointed the Earl of Loudoun to be Commander in Chief of all his Majesty's Forces in North America, but as it will be some time before his Lordship or Major General Abercombie (who is to be next in Command to him) can set out from hence, The King has Directed Colonel Webb (who will forward this Letter to you) to Embark immediately for North America, and to take upon him the Command of the Forces there, till the Arrival of Lord Loudoun, or Major General Abercombie, you will therefore correspond with Colonel Webb and give him all Necessary lights and Assistances in the Same Manner you were Directed to do, to the Late General Braddock.

It having been Represented that a Considerable Number of the foreign Settlers in America might be now willing to enter into the Kings Service if they were Commanded by Officers of their own Country, An Act of Parliament, has been passed of which I send you inclosed a printed Copy, Enabling his Majesty to grant Commissions to a Certain Number German Swiss and Dutch Protestants, who have Served as Officers, or Engineers and as they have already engaged they will Embark with all Expedition, in Order to assist in Raising and Commanding Such of the foreign Protestants in North America, as shall be able and willing to serve with the rest of

L. H. J.
Liber No. 48
September
14
p. 322

the forces upon this Occasion; and it is the Kings Pleasure, that you shall give any Officers who may come into your Government, all the Assistance in your Power in the Execution of this Service.

It being the greatest Importance that his Majesty Should, in the present Situation of Affairs, be truly and exactly informed of the Real State of Defence of all his Colonies in America, as well in Relation to the Ordnance, and Stores of War which are in each Colony Respectively, as to the Forts, and Fortifications, and the Number of their Inhabitants It is the Kings Pleasure that you should prepare and Transmit to the Earl of Loudoun or to the Commander in Chief of his Majesty's Forces for the time being, an exact, and Particular Account thereof, with Respect to the Colony under your Government, in which you are to express the present actual State and Quality of the cannon, Small Arms, Ammunition, and other Ordnance and Military Stores, belonging to the said Colony Either in the Publick Magazines or in the Possession of the Militia or other private persons together with the True state of all Places, either already fortified or which you Judge forthwith Necessary to be fortified with your Opinion at large, in what manner His Majesty may farther Contribute to the Security and Defence of the Said Colony, and also, as exact an Account as you can Obtain of what Number the Militia is Composed and how Armed Mustered, and Trained.

P. S./

I am

Your Letter of Octo.^r

Sir

8.th has been Received

Your Most Obedient

Deputy Governor of Maryland.

Humble Servant

H Fox.

New York 23.^d July 1756.

Sir,

His Majesty having been Graciously pleased to Appoint me, by his Commission under the Great Seal, to be General and Commander in Chief of all his Forces in North America, I take this first Opportunity to Acquaint you of my Arrival this Morning; As I have been Unfortunately so long detained in my passage, I find it Indispensibly Necessary that I go up immediately to the Army, I must proceed Accordingly—I herewith Send your Honour the Letters of M.^r Fox His Majesty's Secretary of State and of the Earl of Halifax His Majestys first Lord Commissioner of the Board of Trade. I do from your Zeal and Attachment to his Majesty's Service, and from the Loyalty and Good Dispositions of your People, Depend upon all Assistance, that the State and Circumstances of your Province is able to give me.

I will beg your Honour, to Assure the good People of your Province, that they may Depend upon my Protection and my utmost Care,

to avoid and remove (as far as the Circumstances of a Country become the Seat of War will Admit) every thing that may any way burthen or Hurt the Interest of any Individual.

L. H. J.
Liber No. 48
September
14

I shall on all Occasions, and in every thing relative to the Service and Interest of the Colonies, Communicate with your Honour and beg at all times to be favoured from you with all matters of Advice and Intelligence relative to the Same, and shall impatiently expect the Returns you are Directed to Send.

I beg you to be Assured, that I am with the Highest Esteem.

p. 323

Sir

Your Honours

Most Obedient and most

Humble Servant

The Hon.^{ble} Horatio Sharpe Esq.^r

Loudoun

Albany 20.th August 1756.

Sir,

I Received last night Accounts by which I apprehend that Oswego with all its Stores and Ammunition and the Train placed there is lost, the Garrison made Prisoners, and our Naval Power on the Lake Destroyed. I must put you on your Guard against every Ill Consequence of Such an unhappy Event, and as you may now expect the weight of the French Indian power on your Back I must Caution you to put your Frontiers immediately in the best posture of Defence you are able as from the Condition and Number of Troops left to me when I come to my Command I can scarce hope to do more than to Resist the French power in these Quarters. Were my hands Strengthened to enable me to Act, I would not Despair of Retrieving this Misfortune and to wrest out of the hands of the French this Important post that by a Series of bad Circumstances has fallen too easy a prey to them.

I must in the Strongest manner and from Motives of the most Interesting nature Demand Your Assistance and that of your Province. His Majesty having been Graciously pleased to Send over to America a Number of Officers for the Service of these Countries, his Royal American Regiment of four Batallions does expect that the Colonies will Supply the Levies for this Regiment, the State of the Service does now Require that this Regiment should be immediately Completed. There is no Aid you could Send me in any shape would be so usefull as Recruits to Compleat this Regiment, as under such good Officers as his Majesty has appointed to it they would be soon if not Directly fit for Service. The Levy money is in all Justice and right expected of the Colonies but if Obstructions to the Service arise within your Province on this head; I must at this time undertake to Advance it.

L. H. J.
Liber No. 48
September
14

I do therefore again in the Strongest manner desire of you and your Province that you will without fail as you shall answer for the Consequences use your utmost Endeavours to procure and Send me a Number of Such Recruits. If I had this Regiment Completed directly I should hope to be able to Act and Remove those Dangerous Circumstances under which his Majesty's Colonies do now Labour; in Consequence of his Majesty's positive Orders I must Require of you to lay a Prohibition on the Exportation of all manner of Provisions, as the Sending out such at this time will not only Supply the French every where and enable them to act against us, but in a very Essential manner Distress his Majesty's Service here as I do not know how soon I may want all that the Colonies can Furnish.

I am with great Truth and Regard.

Sir, Your most Obedient

Humble Servant

The Hon^{ble} Horatio Sharpe Esq.^r

Loudoun

p. 324 M.^r Speaker with the rest of the Members returned to the Lower House, and re-assumed the Chair.

On Motion, Ordered, That his Excellency's Speech be Read by the Clerk, which was accordingly.

Ordered, That his Excellency's Speech be laid on the Table for Consideration on the Morrow Morning.

Ordered, That the Gentlemen who were on the Committee of Grievances and Courts of Justice, on the Committee of Accounts, on the Committee of Elections and Privileges, and on the Committee to inspect the Arms and Ammunition and the Accounts relating thereto, appointed by this House last Session, be continued thereon this Session.

Resolved, That the Rules of the House, agreed to last Session, be observed by the Members as such during this Session.

Resolved, That the Hours of sitting, for Dispatch of Public Business, this Session, be from IX of the Clock until twelve before Noon, and from II of the Clock until V Afternoon.

On Motion, Ordered, That M.^r Speaker do issue his Warrant to the Deputy-Secretary of this Province, to make out a Writ of Election, directed to the Sheriff of Somerset County, to elect a Delegate or Burgess to serve in the General Assembly of this Province, now sitting, in the Room of Col. Robert Jenkins Henry, who, since his being elected a Delegate of Somerset County, hath been appointed one of his Lordship's Council of State, and hath been qualified as such.

On Motion, Ordered, That M.^r Speaker do issue his Warrant to the Deputy-Secretary of this Province, to make out a Writ of Elec-

tion, directed to the Mayor, Recorder, and Aldermen, of the City of Annapolis, to elect a Delegate or Burgess to serve in the General Assembly of this Province, now sitting, in the Room of Stephen Bordley, Esq; who, since his being elected a Delegate of the Corporation of Annapolis aforesaid, hath accepted the Office of Attorney-General of this Province, and also of the Office of Naval-Officer of the Port of Annapolis.

L. H. J.
Liber No. 48
September
14

The House adjourns until the Morrow Morning at 9 of the Clock.

Wednesday Morning, 15th September, 1756.

September
15

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

M.^r Smallwood and Capt. Stoddert appeared in the House.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Tolley appeared in the House.

On Motion, Ordered, That an Address be prepared to his Excellency, in Answer to his Speech; and that Col. Tilghman, M.^r Murdock, M.^r Matthew Tilghman, M.^r Carroll, and M.^r Lloyd, do prepare and bring an Address accordingly.

Ordered, That M.^r Dulany do acquaint the Reverend M.^r Clement Brooke, That he is desired by this House to Read Divine Service at Half an Hour past eight in the Morning, and at five of the Clock in the Evening, during this Session, in the Lower House of Assembly.

M.^r Carroll, from the Committee appointed to prepare an Address to his Excellency, brings in and delivers to M.^r Speaker an Address, which was read, approved, and ordered to be ingrossed. p. 325

M.^r Matthew Tilghman brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We his Majesty's most dutiful and loyal Subjects, the Delegates of the Freeman of Maryland, in Assembly convened, return your Excellency our Thanks for your kind Speech at the Opening of this Session: And beg Leave to assure your Excellency, that tho' the Meeting at this Season of the Year is attended with the greatest Inconvenience, yet it affords us Pleasure, as it gives us an Opportunity of manifesting our Zeal for his Majesty's Service, and Concern for the Safety and Welfare of our Fellow-Subjects at this criti-

L. H. J.
Liber No. 48
September
15

cal Juncture. And as we are thoroughly sensible of our common and immediate Danger, you may depend upon our exerting ourselves with that Unanimity and Dispatch, which the Importance of the several interesting Matters, recommended by your Excellency, requires.

When your Excellency shall be pleased to lay before us your Instructions to the Commanding Officers of the Militia to enlist Men, in Consequence of the Lord Loudoun's Letter, we doubt not but we shall have Reason to approve your ready Compliance with his Lordship's Requisition.

We shall always chearfully take under Consideration whatever shall be communicated by your Excellency, and flatter ourselves we shall be happy enough in all our Results to meet a general Approbation.

Which was Read and Assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Matthew Tilghman and Col. Henry do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that his Excellency was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That M.^r John Goldsborough, and Five more, do present the Address to his Excellency.

The House adjourns until the Morrow Morning at 9 of the Clock.

September
16

Thursday Morning, September 16, 1756.

The House met according to Adjournment, &c.

M.^r Earle and M.^r Ward appeared in the House.

On Motion, Resolved, That this House will (Afternoon) take into Consideration the several Matters contained in his Excellency's Speech.

On Motion, the House appointed M.^r Walter Dulany, M.^r Earle, M.^r Edge, M.^r Beall, M.^r Williamson, M.^r Bracco, and M.^r John Handy, a Committee to inspect the Accounts and Proceedings of the Commissioners and Trustees for emitting Bills of Credit, established by Act of Assembly; and Ordered, That they do Report the same to this House.

p. 326 The following Message, viz.

By the Lower House of Assembly, September 16, 1756.

May it please your Honours,

This House hath appointed M.^r Walter Dulany, M.^r Earle, M.^r Edge, M.^r Beall, M.^r Williamson, M.^r Bracco, and M.^r John Handy, a Committee from this House, to inspect the Accounts and Pro-

ceedings of the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly; and desire your Honours to appoint one or more Members of your House to join in the said Committee.

L. H. J.
Liber No. 48
September
16

Signed per Order. M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by M.^r Williamson and M.^r Beall.

Col. John Henry is added to the Committee, appointed to inspect the Accounts and Proceedings of the Commissioners or Trustees, for emitting Bills of Credit, &c.

His Excellency communicated to M.^r Speaker, the following Answer to the Address of this House, viz.

Gentlemen of the Lower House of Assembly,

It gives me Pleasure to find by your obliging Address, that your Zeal to promote his Majesty's Service, makes you chearfully submit to the Inconvenience of leaving your Families at this Season: I am glad it is in your own Power to lessen that Inconvenience in some Measure; and doubt not but you will do so, by coming to a speedy Determination on the Matters that have been recommended to your Consideration.

Hor.^o Sharpe.

And the following Papers, viz.

Copy.

Sir,

In Consequence of some Advices that I have just received from Albany, and of a Letter that has been sent me Express by Lord Loudoun, I must desire you to endeavour to enlist for his Lordship as many Voluntiers as you possibly can, and to give Instructions to all the Officers under your Command, to exert themselves and assist you to the utmost of their Ability.

You will also send a Copy of this Letter to the Clerk of your County, to be laid before the Magistrates and all Civil Officers, who are earnestly desired to contribute, to the utmost of their Power, towards raising Levies in your County for his Majesty's Service. I have inclosed you some Recruiting Instructions for your better Guidance; and as the Bounty-Money is considerable, I think you may be able to purchase many Servants, whose Term of Servitude is nearly expired.

It would be unnecessary, I hope, to urge many Reasons to incite you to comply with my Request, and manifest your Loyalty, as well as your Regard, for the Safety of your Country at this critical Juncture: But this, you and the Officers under your Command, may be assured of, that you nor they can, by any other Means, so effectually promote his Majesty's Service, and the Welfare of these Colonies, nor do any Services which would be more acceptable to Lord Loudoun, or myself. You may depend, that whatever you expend in

L. H. J.
Liber No. 48
September
16

Consequence of this Letter, and agreeable to the inclosed Instructions, shall be honourably repaid, and I hereby make myself answerable for the Sums that you shall so advance: But I hope you will proceed as frugally as possible, and let all your own, and your Officers Recruiting Accounts, be methodically kept, and sent properly signed to me, with the Levies from your County, at the End of Three Weeks from the date hereof. The Recruits, as they are raised, are to be Billeted on any of the Ordinaries, at the Rate of a Shilling Currency a Day for the Diet and Lodging of each Man, unless by any Method you can get them Victualled and Lodged at a cheaper Rate. I heartily wish you Success; and am, Sir,

Your most humble Servant,
Hor.^o Sharpe.

Annapolis, August 31, 1756.

To Colonel
Commander in Chief of the Militia of County.

Copy.

Recruiting Instructions to Colonel , and the Officers
under his Command.

You are not to enlist any Roman Catholic or Deserter, knowing them to be such; but if any of the latter should offer themselves, or be discovered to you, you are to have them committed to the Sheriff's Custody, and advise me thereof.

You are not to enlist any Persons that are ill-limbed, sick, weak, pot-bellied, or who have any Ailments, particularly such as have their Legs Frost-bitten; but you may enlist any other Man between 18 and 40 Years of Age, if he be not less than 5 Feet 6 Inches high.

You may also enlist any Lad under 18 Years of Age, if he be 5 Feet 4 Inches high, or upwards.

As soon as possible, after any Person shall be enlisted, he is to be taken before a Magistrate and Qualified; of which you are to return me a Certificate similar to the Inclosed.

You are to endeavour to Recruit as Cheap and on as good Terms as you possibly can; but you are, on no Account whatever, to give to, or expend more, on one Man, than Five Pounds Currency.

If any Recruit shall be willing to accept an Order on me, for the Bounty-Money that the Officer enlisting him shall agree to give him, such Officer's Order shall, on the Recruit's presenting it to me, be duly accepted and paid.

Hor.^o Sharpe.

Given at Annapolis the 31st of August, 1756.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.
Liber No. 48
September
16

The House met according to Adjournment, &c.

M.^r Joseph Cox Gray appeared in the House.

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker the following Message, viz.

By the Upper House of Assembly, September 16, 1756. p. 328
Gentlemen,

This House hath appointed Richard Lee, Esq; to join the Members named by your House, in a Committee, to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed per Order. J. Ross, Cl. Up. Ho.

On the Question put, Resolved That the Sum of £5000. out of £25000. already appropriated by an Act, entitled, An Act for granting a Supply of £40000. for his Majesty's Service, &c. and unapplied, be applied to the Recruiting the Royal American Regiment with 300 Men, and conveying them to the Place of Rendezvous that shall be appointed by the Earl of Loudoun.

On Motion, Resolved, That the Sum of £3000 besides the Sum of £1000 already allotted by the Act For granting a Supply of £40000 for his Majesty's Service, &c. be applied at the Rate of £50. for every Indian Scalp or Prisoner.

The House adjourns until the Morrow Morning at 9 of the Clock.

Friday Morning, 17th, September, 1756.

September
17

The House met according to Adjournment, &c.

M.^r Hamond appeared in the House.

On Motion, the Question was put, That a Sum of Money (Part of the £25,000. already raised by the Act, entitled, An Act for granting a Supply of £40000 for his Majesty's Service, &c.) be applied for Payment of Provisions, and transported as the Earl of Loudoun shall direct. Resolved in the Negative.

For the Negative,

Hicks,
Gassaway,
Reynolds,
Smallwood,
Stoddert,
Jenifer,
J. Handy,

M. Tilghman,
Gray,
Travers,
Tolley,
Govane,
Hawk,
Casson,

Bracco,
Scarborough,
Henry,
Evans,
B. Handy,
Beall.

L. H. J.
Liber No. 48
September
17

	For the Affirmative,	
T. Reeder,	J. Goldsborough,	Fraser,
Hynson,	Edmondson,	Lloyd,
Williamson,	Earle,	E. Tilghman.
Wallis,	Ward,	13
Carroll,	Murdock,	

On Motion, That an Address be prepared to his Excellency, relative to his Instructions given to the Colonels of the several Counties of this Province, for enlisting of Men for his Majesty's Service, Resolved, that an Address be prepared accordingly.

Ordered, That M.^r Carroll, Col. Tilghman, and M.^r Matthew Tilghman, do prepare and bring in such Address.

A Motion, for Leave to bring in a Bill, For his Majesty's Service, and for the better Defence of this Province, was granted.

Ordered, That M.^r Hammond, M.^r Murdock, M.^r Carroll, Col. Edward Tilghman, and M.^r Matthew Tilghman, do prepare and bring in a Bill accordingly.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

p. 329 M.^r Mills appeared in the House.

Col. Tilghman, from the Committee appointed for that Purpose, brings in and delivers to M.^r Speaker an Address to his Excellency, which, on the Question put, That the said Address be Approved, was Resolved in the Affirmative.

M.^r Carroll brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

Your ready Compliance with the Lord Loudoun's Requisition, to levy a Number of Men in this Colony with the utmost Expedition, for the Regiment which his Majesty has graciously ordered to be raised in America, for the Defence of the Colonies, cannot but meet our Approbation: And it is with extreme Reluctance we comply with what we think our indispensable Duty in observing, That that Part of your Excellency's Recruiting Instructions which directs, That "as soon as possible, after any Person shall be enlisted, he is to be taken before a Magistrate and qualified," is, we apprehend, not agreeable to the Act of Parliament, For the better Recruiting his Majesty's Forces on the Continent of America, &c. which directs,

"That when and as often as any Person or Persons shall be enlisted as a Soldier or Soldiers in his Majesty's Land Forces on the Continent of America, he and they shall, within the Space of Four Days, but not sooner than Twenty-four Hours after such enlisting, be carried before the next Justice of the Peace," &c. And might, if closely adhered to, be attended with great Inconveniencies to many of the good People of this Province; though, at the same Time, we should think ourselves inexcusable, if we did not acknowledge, that we look upon that Instruction as purely an Effect of your Excellency's earnest Zeal for his Majesty's Service, and warm Concern for the British Interest in America.

L. H. J.
Liber No. 48
September
17

Which was Read and Assented to, and signed, by Order of the House, by the Hon^{ble} Speaker.

Ordered, That M.^r Lloyd and Col.^o Scarborough do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor was pleased to signify he would receive the Address immediately in the Conference Chamber.

Ordered, That M.^r Mills, and Three more, do present the Address to his Excellency.

The House adjourns until the Morrow Morning at 9 of the Clock.

Saturday Morning, 18th September, 1756.

September
18

The House met according to Adjournment: All the Members appeared as Yesterday, except Capt. Gassaway.

On Consideration of the Right Honourable Henry Fox, Esq; his Letter, as one of his Majesty's principal Secretaries of State, dated at Whitehall 13th of March, 1756, to the Governor of this Province, the Question was put, Whether this House will now make Provision for paying such Servants as have been enlisted within this Province into his Majesty's Forces in America, or Not Resolved in the Negative. p. 330

For the Negative,

T. Reeder,
Hicks,
Hammond,
Carroll,
Reynolds,
Smallwood,
Stoddert,
Jenifer,
Handy,

J. Goldsborough,
M. Tilghman,
Edmondson,
Gray,
Travers,
Murdock,
Fraser,
Hawkins,
Dulany,

Lloyd,
E. Tilghman,
Casson,
Scarborough,
J. Henry,
Evans,
B. Handy.

25

L. H. J.
Liber No. 48
September
18

	For the Affirmative,		
Mills,	Tolley,	Bracco,	
Hynson,	Govane,	Beall.	
Williamson,	Earle,		10
Wallis,	Ward,		

His Excellency the Governor communicated to M.^r Speaker, the following Answer to the Address of this House, viz.

Gentlemen of the Lower House of Assembly,

I am obliged to you for doing me the Justice to believe, that I was prompted by an earnest Zeal for his Majesty's Service, and a warm Concern for the British Interest in America, to give the Colonels of the Militia such an Instruction as is mentioned in your Yesterday's Address. I cannot but commend you for doing what you may think your indispensable Duty; but I am apt to believe that none of the Gentlemen, to whom the Recruiting Instructions were sent, thought themselves directed, by an Expression in them, to put the good People of this Province to any Inconveniencies, much less to be Guilty of a Breach of an Act of Parliament.

Hor.^o Sharpe.

18th September, 1756.

On Motion, that a Bill be brought in, To lay an Embargo on all Provisions, Resolved Unanimously, That as there is an Act of Assembly of this Province, which sufficiently Prohibits the Exportation of Grain, Provision, &c. to any of the French Islands or Territories, that there is not an immediate Occasion to lay an Embargo on Provisions.

On Motion, That an Address be prepared to his Excellency, to acquaint him that this House hath deliberated and determined upon the several Matters recommended in his Speech, Resolved, That an Address be prepared accordingly.

Ordered, That M.^r Hammond, Col. Tilghman, and M.^r Lloyd, do prepare and bring in such Address.

Col. Tilghman brings in and delivers to M.^r Speaker an Address to his Excellency, which was Read, Approved, and Ordered to be ingrossed.

Col. Tilghman brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

p. 331 As your Excellency, in your Speech at the Opening of this Session, was pleased to say, you had several other Matters to communicate

to us, but should postpone them till you should understand that we had come to some Determination on those you had then submitted and recommended to our Consideration; we beg Leave to acquaint your Excellency, that we have come to a Determination on those Matters, and earnestly request you will be pleased now to communicate to us whatever you may think proper to be recommended to our Consideration at this Meeting, that we may do all in our Power to lessen the Burden to the good People of this Province, which always and the Inconvenience to ourselves which at this Time must necessarily attend our being here.

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Casson and M.^r Benjamin Handy do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker that his Excellency was pleased to signify he would be ready to receive the Address immediately in the Conference Chamber.

Ordered, That M.^r Carroll, with Five more, do present the Address to his Excellency.

The House adjourns until Monday Morning at 9 of the Clock.

Monday Morning, 20th September, 1756.

September
20

The House met according to Adjournment: All the Members appeared as on Saturday, except M.^r Reynolds, M.^r Govane, M.^r Lloyd, and Major Travers.

M.^r Paca, M.^r James John Mackall, M.^r Benjamin Mackall, Col. Fitzhugh, and Capt. Jordan, appeared in the House.

The Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

I am glad to find by the Address which was presented Saturday Evening, that you have come to a Determination on the Matters that were recommended to you at the Opening of this Session; and as no one can be more desirous than myself of lessening the Burthen, which is always brought on the good People of this Province by your sitting here, I earnestly recommend it to you, with the utmost Dispatch to Frame a Bill, in Consequence of the Determination you are come to, that it might be offered to the Gentlemen of the Upper House for their Concurrence, and, as soon as possible, be passed into a Law.

Gentlemen,

At the Beginning of our last Session, you were pleased to declare it as your Opinion, That the most natural Strength of every free

L. H. J.
Liber No. 48
September
18

L. H. J.
Liber No. 48
September
20

Government consists in a well-armed and well-regulated Militia, and that on such a One we must, at this Session, chiefly depend for our Security: As our present Militia Laws do not give the Officers sufficient Power to compel their respective Regiments or Companies to march and serve in Defence of their Country, we can, I think, have but little Dependence on the Militia of this Province. If therefore you are now at Leisure, and continue of the same Opinion that you entertained at the Opening of the last Session, or if my Recommendations have any Weight with you, you will proceed to Frame a Bill for giving the Officers of the Militia such a Power as the present Posture of Affairs, on the Continent, and the Condition of this Province in particular, renders expedient and necessary.

Hor.^o Sharpe.

September 20, 1756.

p. 332 The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r John Reeder, Capt. Edward Sprigg, M.^r Waggaman, Major Hyland, and Capt. Dennis, appeared in the House.

Capt. Brice Thomas Beale Worthington, a Delegate returned to serve in this General Assembly, by Return of the Sheriff of Anne-Arundel County, appeared in the House.

Ordered, That Capt. Gassaway and M.^r Carroll do go with Capt. Worthington to the Upper House to see him qualified. They return and acquaint M.^r Speaker they saw him qualified in the usual Manner.

The Gentleman took his Seat in the House.

The House adjourns until the Morrow Morning at 9 of the Clock.

September
21

Tuesday Morning 21st September, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except Capt. Jordan.

M.^r Lloyd appeared in the House.

On Motion, the Question was put, That an Address be prepared to the Governor, requesting that he will be pleased now to communicate whatever he may think proper to be laid before this House at this Meeting, relative to his Majesty's Service in general, or the Security and Defence of this Province in particular.

Resolved in the Negative.

For the Negative,

T. Reeder,
Mills,
Hicks,
J. Reeder,
Hynson,
Williamson,
Wallis,
Fitzhugh,
Smallwood,

Stoddert,
Jenifer,
J. Handy,
Dennis,
J. Goldsborough,
Edmondson,
Gray,
Tolley,
Earle,

Ward,
Dulany,
Casson,
Scarborough,
Evans,
Beall,
Sprigg.

25

L. H. J.
Liber No. 48
September
21

For the Affirmative,

Hammond,
Gassaway,
Carroll,
Worthington,
J. Mackall,
B. Mackall,

Waggaman,
M. Tilghman,
Paca,
Hyland,
Murdock,
Fraser,

Hawkins,
Lloyd,
E. Tilghman,
Bracco,
J. Henry,
B. Handy.

18

On Motion, Resolved, That this House will (afternoon) proceed to take under Consideration the present State and Condition of this Province.

On Motion, Resolved, That a Sum of Money Part of the £25,000 raised by the Act For granting a Supply of £40000. for his Majesty's Service, &c. be applied towards purchasing Arms and Ammunition for the Militia of this Province; and that it be inserted in the Bill now preparing for his Majesty's Service.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Murdock, one of the Agents appointed by the Act For granting a Supply of £40000 for his Majesty's Service, &c. brings in the Memorandum-Book of Accounts, Leidger and Journal Books, kept by the said Agents, of the Money laid out and expended in Pursuance of the said Act. p. 233

Ordered, That M.^r Lloyd, M.^r Matthew Tilghman, M.^r James John Mackall, M.^r Jenifer, M.^r Waggaman, M.^r Smallwood, and Major Hynson, be a Committee to examine into the said Books of Accounts, and make Report thereof to the House.

Ordered, That M.^r Benjamin Mackall, Capt. Fraser, M.^r Paca, Capt. Govane, Capt. Casson, Col. Fitzhugh, and Major Hyland, be a Committee to enquire into the State and Condition of the Arms and Ammunition, and Accounts relating thereto, and make Report thereof to the House.

The House adjourns until the Morrow Morning at 9 of the Clock.

L. H. J.
Liber No. 48
September
22

Wednesday Morning, 22^d September, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Bracco.

On Motion, That an Address be prepared to his Excellency, requesting him to lay before this House Copies of such Accounts as he may have transmitted in Obedience to the Secretary of State his Letter, dated 13th of March, 1756, Ordered, That M.^r Hammond, Col. Tilghman, and M.^r Carroll, do prepare and bring in such Address.

Col. Tilghman, from the Committee appointed, brings in and delivers to M.^r Speaker an Address to his Excellency; which was Read, Approved, and Ordered to be ingrossed.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Carroll brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

As we have now under our Consideration the State of this Province, more especially with Regard to the Defence thereof, we humbly request your Excellency will be pleased to lay before us Copies of such Accounts as you may have transmitted in Obedience to the Letter from his Majesty's Secretary of State, dated the 13th Day of March, 1756, by your Excellency communicated to us, of the State and Quantity of Cannon, Small Arms, Ammunition, and other Ordnance and Military Stores, belonging to this Colony, either in the Public Magazines, or in Possession of the Militia, or other private Persons, together with the true State of all Places already Fortified, or Copies of whatever Accounts your Excellency may have received from the Militia-Officers, that may give us any Information of the Circumstances of this Province as to those Particulars, as they will conduce much to the Dispatch of the important Business now before us.

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

p. 334 Ordered, That M.^r Mills and M.^r Hicks do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that his Excellency was pleased to signify he would be ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. John Goldsborough, with Three more, do present the Address to his Excellency.

L. H. J.
Liber No. 48
September
22

Daniel Dulany, Esq; a Delegate of the Citizens of Annapolis, returned to serve in this present General Assembly, appeared in the House.

Ordered, That Capt. Gassaway and Capt. Worthington do go with M.^r Dulany to the Upper House to see him qualified. They return and acquaint M.^r Speaker they saw M.^r Dulany qualified in the usual Manner.

The Gentleman took his Seat in the House.

The House adjourns until the Morrow Morning at 9 of the Clock.

Thursday Morning, 23^d September, 1756.

September
23

The House met according to Adjournment, &c.

His Excellency the Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

In Compliance with your Request, I herewith send you an Extract of the Letter that has been transmitted in Obedience to that from the Secretary of State. I find, on Enquiry, and by some Returns from Officers of the Militia, that a considerable Number of public Arms is lodged in the Court-Houses, or in the Hands of private Persons, in several of the Counties; most of these are much out of Repair, and many of them of little Value. Had all the Commanders of the Militia made due and regular Returns, I would lay them before you; but I am persuaded, that what I have received would little conduce to the Dispatch of the Business that has been recommended to your Consideration.

September 23, 1756.

Hor.^o Sharpe.

The Extract referred to in the Message.

There are in and belonging to this Province 19 Carriage Guns all Iron but very good, four of them are 6 Librs and fifteen are 4 Librs the Last not mounted. In the Magazine is 16th weight of Six pound Shot, and 24 half barrels of powder: of Musquet Ball and bar Lead we have a Considerable Quantity; and there were in our Magazine last Spring about 500 Stand of Small Arms Some of these were lost at the Action of the Monongahela and most of the rest have been Delivered to the Men that have been Raised for the Defence of the Province, or distributed among the Frontier Inhabitants. The Militia of the Colony consists of about 16500 Men one third of whom have no Arms, and many of the other's Guns are very bad and Scarsly fit for use. For want of a proper Militia Law the people

L. H. J. are undisciplined as well as badly Armed and cannot be compelled
 Liber No. 48 to serve in defence of their Country. The white Inhabitants in
 September Maryland are near 108,000 and the black upwards of 46,000 I
 23 apprehend 26,000. of the former are able to bear Arms but all
 p. 335 Civil Officers, Roman Catholicks and Servants being exempted by
 Law or Custom the Militia does not exceed the Number above
 Mentioned. There are no works in this Province that deserves the
 name of Fortifications, Just behind and among our Westernmost
 Settlements are some small Stoccado or palisaded Forts built by
 the Inhabitants for the Protection of their Wives and Children:
 and besides these there is one larger tho' in my Opinion not much
 more capable of Defence on Potowmack about 56 Miles beyond
 our Settlements it has been Distinguished by the Appellation of
 Fort Cumberland, and is at present Garrisoned by three Hundred
 Men from Virginia; it is made with Stoccadoes only and commanded
 almost on every side by circunjacent Hills a Considerable Quantity
 of Military Stores that was left by General Braddock still Remains
 there, and ten of the Carriage Guns that his Majesty was pleased
 to Order to Virginia two years ago are mounted therein.

M.^r Lloyd, from the Committee appointed, brings in and delivers
 to M.^r Speaker the following Report, viz.

By the Committee, appointed by the Honourable the Lower House
 of Assembly to examine into the Accounts of the Agents appointed
 for executing Part of an Act of Assembly, entituled, An Act for
 granting a Supply of Forty Thousand Pounds for his Majesty's
 Service, and striking Thirty-four Thousand and Fifteen Pounds
 Six Shillings thereof in Bills of Credit, and raising a Fund for
 sinking the same. September 23, 1756.

Your Committee having examined the several Accounts and
 Vouchers, produced to them by the said Agents, do find, That they
 have received, by Order of his Excellency the Governor, at sundry
 Times, Sums of Money amounting in the whole to £6600.17.0 Part
 of which Sum appears to your Committee to have been, by the said
 Agents, paid and expended in Manner following.

To Michael Vanbuskart, Lieutenant of Capt. Beall's Company, for his Charge of Enlisting Men, . . .	}	£. 43 2 6
To John Kidd, Ensign to Capt. Dagworthy, for Enlisting Two Men,		
To sundry Persons, for Medicines, Liquors, Work- ing Tools, and Kitchen Utensils of all Sorts, Nails, and other Iron Ware, Provisions of all Sorts, Wages to Carpenters, Masons, Miners, and Labourers, together with Cart and Wag- gon Hire, including the Sum of £250 paid for the Purchase of the Land whereon the Fort is Erecting,	}	1711 8 2½

To sundry Persons for Cloathing of all Sorts, Bedding, and Haversacks for the Soldiers,..	884	6	9	L. H. J. Liber No. 48 September 23
To David Ross, for Provisions of all Sorts, to Capts. Beall and Dagworthy's Companies, from the 17th of May to the 20th of July inclusive, at 9 d. per Day for each Man, as by the Contract will appear,.....	376	17	6	
For the Payment of Officers and Soldiers in both Companies, from the 17th of May to the 20th of August inclusive,.....	957	4	0	
To Bounty-Money paid for Enlisting Men in said Companies,	104	7	6	
To Money paid for Cart and Waggon Hire in collecting Materials for the Fort,.....	122	17	1½	
To Ditto, in the Hands of Capt. Dagworthy, unaccounted for,	493	4	4	p. 336
To Ditto paid to his Excellency Horatio Sharpe, Esq;	600	0	0	
To Ditto paid for Two Scalps,.....	20	0	0	
To Ditto paid to Sundries, under the Article of petty Charges, in which is included the Charge of carrying Money at several Times up to the Fort,	16	6	9	
All which Payments amount in the whole to.....	£. 5331	19	7¾	

From this State of the Account, there still appears to be in the Hands of the Agents the Sum of. £1268 17 4½

Which, added to £4694.3.0 now in the Hands of the Commissioners of the Loan-Office, makes the Sum of £5963.0.4½ still to be applied as by the abovementioned Act is directed; but the Accounts of the Agents not being closed to a certain Day, nor delivered in upon Oath, your Committee could not Report what the real Ballance of the £11250 is at this Time: And must observe, that the above Article of £493.4.4 in the Hands of Capt. Dagworthy, is still to be applied towards Payment of the Officers and Soldiers from the Twentieth Day of August last, and for the Payment of Tradesmen and Labourers at Work on the Fort. And that the Sum of £600 paid, as above, to Horatio Sharpe, Esq; does not appear to us to be applied by his Excellency in any Manner, tho' in an Order of the 4th of September, and a Receipt of the 11th, it is mentioned for the Subsistence of the Troops that have been raised for the Protection of the Frontiers; which may, as your Committee humbly conceive, be applied by him as well to Troops raised before the making the said Act, as to those raised in Pursuance thereof, for Garrisoning the Fort and Block-Houses by the said Act to be Erected.

L. H. J. All which is humbly submitted to the Consideration of your Hon-
 Liber No. 48 ourable House.
 September 23 (Signed p Order) Th.^s Johnson Jun.^r Cl. Com.^{tee}

Benedict Calvert, Esq; from the Upper House, delivers to M.^r Speaker a Petition of T. Macdonald; indorsed, By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly; which Petition was here Read and Granted, That the Sum of £20.0.0 be allowed to the Petitioner in the Journal of Accounts.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Reynolds appeared in the House.

On Motion, That an Address be prepared to his Excellency, requesting him, that he would be pleased to acquaint this House what Forwardness, the Fort and Block-Houses directed by the Act For granting a Supply of £40000, &c. were in; and that he would be pleased to communicate what he thinks necessary, relative to the Defence and Security of our Western Frontier: Ordered, That Col. Tilghman, M.^r Hammond M.^r Matthew Tilghman, and M.^r Carroll, do prepare and bring in such Address.

p. 337 Col. Tilghman brings in and delivers to M.^r Speaker an Address to his Excellency, which was Read, Approved, and Ordered to be ingrossed.

The House adjourns until the Morrow Morning at 9 of the Clock.

September 24 Friday Morning, September 24, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except Capt. Tolley.

Capt. Jordan appeared in the House.

Col. Tilghman brings in and delivers to M.^r Speaker the following Address, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

As we find by Examination of the Accounts of the Agents, appointed by an Act of Assembly, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fiteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same,

that a very considerable Part of the Eleven Thousand Pounds, by that Act appropriated to the Building and Erecting One Fort, and any Number, not exceeding Four Block-Houses, on the Western Frontiers of this Province, &c. has been already expended; and as we understand your Excellency has been pleased to undertake the Direction of the Building and Constructing thereof, we humbly request you will be pleased to inform us in what Forwardness that Fort and those Block-Houses are, and what are the Dimensions of them: And that your Excellency will now be pleased to communicate to us whatever you think necessary to be recommended to our Consideration at this Meeting, particularly relative to the Defence and Security of our Western Frontier, that we may proceed with all possible Dispatch in Framing a Bill now before us, for his Majesty's Service in general, and that important End in particular.

On Reading the said Address, the Question was put, That the said Address be Assented to. Resolved in the Affirmative.

For the Affirmative,

T. Reeder,	B. Mackall,	Murdock,
Hicks,	Smallwood,	Fraser,
J. Reeder,	Stoddert,	Hawkins,
Hammond,	Jenifer,	E. Tilghman,
Gassaway,	J. Handy,	Henry,
Carroll,	Waggaman,	Evans,
Worthington,	M. Tilghman,	B. Handy,
Fitzhugh,	Gray,	Beall,
Reynolds,	Paca,	Sprigg.
J. J. Mackall,	Hyland,	29

For the Negative,

Mills,	Dennis,	Earle,
Hynson,	J. Goldsborough,	Ward,
Williamson,	Edmondson,	Casson,
Wallis,	Govane,	Scarborough.

12

The Address was accordingly indorsed, "Read and Assented to," and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Waggaman and Capt. Jenifer do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker that the Governor was pleased to signify he would be ready to receive the Address immediately in the Conference Chamber.

Ordered, That Philip Hammond, Esq; with Three more, do present the Address to his Excellency. p. 338

L. H. J.
Liber No. 48
September
24

L. H. J.
Liber No. 48
September

The Governor communicated to M.^r Speaker the following Message, viz.^t

24 Gentlemen of the Lower House of Assembly,

When, in Compliance with the Earl of Loudoun's Requisition, I sent Instructions to the Officers of the Militia to enlist Men for the Royal American Regiment, I persuaded myself that Part of the Forty Thousand Pounds, lately granted for his Majesty's Service, would, agreeable to his Royal Pleasure, have been appropriated many Days ago to defray the Expence of raising a Number of Men in this Province for the Regiment abovementioned, and that an Act would have been passed for that Purpose, before any Demand could be made on me for Money to defray such Expence; I am sorry to find my Hopes were without Foundation: But as I am obliged, at this Time, to pay a considerable Sum of Money for a Number of Recruits that are already sent me, and expect to be called on every Hour for larger Sums, I must desire you to inform me what Bills you have Framed, or what Determination you have come to on the Matters that I recommended to your Consideration at the Opening of this Session. If you are disposed to comply with the Earl of Loudoun's Request, be pleased to fall on some Measures for supplying me with Levy-Money, till such a Bill as I have recommended to you to Frame can be prepared; or if you are (contrary to my Expectations) determined to pay no Regard to the Earl of Loudoun's Requisition, you would oblige me by informing me thereof, that I may know what I have to depend on, and, according to my Promise, acquaint his Lordship with your Resolution.

Hor.^o Sharpe.

September 24, 1756.

Major Hyland brings in and delivers to M.^r Speaker the following Report Viz.^t

By the Committee appointed by the Hoⁿble the house of Delegates to Inspect the Arms and Ammunition and Accounts relating thereto September 21.st 1756.

Your Committee having Inspected the Arms and Ammunition in the City of Annapolis do find that there are in the Possession of the Armourer the following Arms and Ammunition Viz.^t

In the Council Chamber Seventy bright Hilted Swords, twenty good Trumpets, Six good Drums and Sticks, Nineteen Pikes, twenty four Halberts, twenty Six Slings with Buckets, Sixty Six Slings without Buckets, Eighteen Daggers, fifteen Sword blades.

Over the Council Chamber ten new Drums Compleat, Sixteen pair of Drum Sticks twelve Buff Slings four Neat Leather Slings, Six New Cartouch Boxes, twenty four old Ditto, In the Room over the Conference Chamber, twenty Bayonets, Twenty five bright Hilted Swords, and one brass Hilted Ditto one hundred and thirty

good black hilted Ditto, and four old Ditto, not fit for use, Seventy one old Musquets not fit for use, thirty three pair of Holsters, Six old Drums, Seventy nine Pistols, in good Order, eight Pistols the Locks very much out of Repair, one hundred and thirty five Carbines in good order, Sixteen good broad Swords, fourteen Carbines, locks out of repair, Ten new Trumpets with mouth peices, Seventy Nine Buff Sword Belts, three new Musquets, in good Order, two ditto want locks, Eighteen Ditto Locks out of Repair, one new Bayonet, three Chests of Matches, Nine new half Pikes, one Halbert broke, in the Cellar under the Conference Chamber Nine hundred and ninety Seven pounds of mixt Ball, one hundred and forty nine pounds of Musquet Ball, In the Powder House, Eighty two half hundred Cags of Ball, one hundred and thirty four Sword Belts, two half Barrels and one eighth part of a Barrel of Gunpowder, half a Barrel of old powder, two baggs of Musquet Ball, weighing one hundred and thirty four pounds, Ditto Musquet Ball in a half Barrel, Containing three hundred and eighty one pounds, Ditto in a half Barrel Pistol Ball, weighing two hundred and ninety four pounds, one Quarter of a box of Gunflints, fifteen peices of New Cannon, fixed in wood, wanting Aprons, and Tompkins, which we conceive will Damage them Much, Ten peices of old Cannon, lying on the point, we are also of Opinion that the frame on which the new Cannon is fixed ought to be well Tarred, and that the Cannon ought to be paid with Oyl and Tar to Cleanse them, and then well painted for their further Preservation. And your Committee find that Since the Last Session there has been Returned to the Armourer the following Arms Viz From the Town Company Twenty five Musquets, twelve new Carbines, four old Ditto, Seven broad Swords, Six Case of Pistols, out of which Arms and those before in the Magazine there appears to have been delivered as follows Viz.^t To Bladensburg one half Barrel of Gunpowder fifty eight pounds of Ball, To Conigochiege forty five pounds of Gunpowder, one thousand four hundred and forty Musquet and Carbine ball weight Seventy five pounds one half Barrel of Gunpowder, fifty eight pound of Musquet Ball, to Alexandria in Virginia Two half Barrels of Gunpowder, To Col.^o Edward Loyd two Drums one Trumpet, To Fort Frederick, Nineteen new fire Lock, Bayonets, Cartouch boxes and Slings fifteen new Carbines, five old Ditto, twelve Carbine bayonets, nine Slings, fifteen Case of Pistols, one box of flints, eight half Barrels of Gunpowder, Six hundred and Sixteen weight of Musquet Ball, two hundred and fifty five pounds of Swan Shot Two hundred Sixty eight pounds of Carbine ball, four bright hilted Small Swords, Sixty eight pounds of Swan Shot, to the Iron Works, p Order of Col.^o Tasker, half a Barrel of old Gunpowder to be replaced by as much new. To Fort Frederick, Thirty new Musquets, thirty Buff Slings, thirty Cartouch boxes Ten old long Musquets ten Bayonets, Ten Cartouch boxes.

L. H. J.
Liber No. 48
September
24

p. 339

L. H. J. twenty Carbine Buckets, one Drum, to Major Charles Hammonds
 Liber No. 48 Company at the Head of Severn by order of Col.^o Charles Ham-
 September 24 mond, one new Trumpet to Capt. John Gassaway for the Use of
 the South River Company, one Drum to William Butterfield for
 the use of the Town Company for M.^r Ridout Two Carbine Car-
 touch Boxes; To Frederick two Chests containing, fifty fire locks,
 one half Barrel of Gunpowder, two bags of ball, weighing one
 hundred and twenty Seven pounds two Chests of Arms, Containing
 forty one Musquets. To Fort Frederick one Chest of Bar Lead.
 weight Six Hundred and fifty Seven pounds, two bags of Musquet
 Ball weight one Hundred and forty one pounds, and four half
 Barrells of Gunpowder.

All which is Humbly Submitted to your Hon.^{ble} House.

/Signed p Order

John Davidge Ck

which was Read and Ordered to lye on the Table.

p. 340 The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Capt. Crabb appeared in the House.

On Motion, That an Address be prepared to his Excellency, in
 Answer to his Message of this Day: Ordered, That M.^r Matthew
 Tilghman, M.^r Carroll, and M.^r Murdock, do prepare and bring in
 such Address.

M.^r Carroll brings in and delivers to M.^r Speaker an Address to
 his Excellency, which was Read, Approved, and Ordered to be
 ingrossed.

M.^r Carroll brings in and delivers to M.^r Speaker the following
 ingrossed Address, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander
 in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Message of this Day, we must observe, that
 had you been pleased to have given a full Answer to our Address of
 the 18th of this Instant, wherein we informed you we had come to
 a Determination on the Matters recommended by your Excellency
 in your Speech at the Opening of this Session, and earnestly re-
 quested you would be pleased to communicate to us whatever you
 thought proper to be recommended to our Consideration at this Meet-
 ing, your Hopes might have been fully answered, and an Act passed
 for appropriating Part of the Forty Thousand Pounds, lately granted

for his Majesty's Service, to defray the Expence of raising a Number of Men for the Royal American Regiment, and to the Defence and Security of this Province. But we are sorry to find ourselves under the disagreeable Necessity of acquainting your Excellency, that the Delay has altogether proceeded from our being disappointed in what we had so good Foundation to hope for, from your Promise in the last Paragraph in the same Speech; and we must inform your Excellency, that we were so firmly Resolved to manifest our Zeal for his Majesty's Service, by a ready Compliance with the Earl of Loudoun's Requisition, that a Bill for that Purpose, and the Defence and Security of our Western Frontier, has been in great Forwardness for some Days, and we now only wait your Excellency's Answer to our Address presented this Day, to enable us entirely to compleat it; and as we hope it will be passed into a Law with the greatest Expedition, we think it irregular to fall on any other Measure for supplying the Levy-Money desired by your Excellency. We cannot conclude without assuring you, that we are so far from being determined to pay no Regard to the Earl of Loudoun's Requisition, that we shall constantly endeavour to treat whatever comes from his Lordship with the greatest Regard; and that we hope we shall never disappoint your Excellency in any reasonable Expectation from, or Dependence on, this House.

L. H. J.
Liber No. 48
September
24

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That M.^r Thomas Reeder and M.^r Casson do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor was pleased to signify he would receive the Address immediately in the Conferenc Chamber. p. 341

Ordered, That M.^r Matthew Tilghman, and Three more, do present the Address to his Excellency.

The House adjourns until the Morrow Morning at 9 of the Clock.

Saturday Morning, 25th September, 1756.

September
25

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r John Goldsborough, M.^r Edmondson, M.^r Hammond, and Col. Fitzhugh.

The Governor communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

In Compliance with your Request, I send you a Plan of Fort-Frederick, and a Letter from Capt. Beall, whence you may learn what are the Dimensions of that Fort, and what Forwardness it is

L. H. J.
Liber No. 48
September
25

in. There are several Block Houses or Stoccado Forts built on and near the North-Mountain, particularly on the Plantations of Evan Shelby, Issac Baker, Allen Killough, and Thomas Mills: They were raised before I went to the Frontiers; neither can I give you the Dimensions or a particular Description of them. I apprehend such a Fort as I have directed to be constructed on the North-Mountain, will not be completed for less than £5000. From the Agents Accounts you may learn how much has been already expended thereon, and the Plan and Letter abovementioned will shew you what Work remains yet to be executed. By the Agents Accounts you will, I presume, also find, that I have drawn on them for a Sum of Money towards defraying the Expence of the Troops that were, with your Approbation, raised and supported for the Protection of the Frontier Inhabitants last Spring, while you were Framing a Bill for his Majesty's Service, and making Provision for their better Security: Some Muster-Rolls and Accounts herewith sent, will shew you how that Money has been expended [see Appendix, pages 674-5].

Gentlemen,

At the Beginning of this Session, I gave you my Reasons for convening you before the Time to which you stood Prorogued, and, agreeable to his Majesty's Pleasure, and the Earl of Loudoun's Letter, pressed you to appropriate Part of the Sum of Money, lately granted for his Majesty's Service, towards raising a Number of Men in this Colony, with the utmost Expedition, for the Royal American Regiment; and your first Address gave me Room to expect you would pay a particular Regard to his Lordship's Requisition, and proceed, without Delay, to Frame a Bill for such an Appropriation of a Sum of Money as I desired: Flattering myself with these Hopes, I was unwilling to interrupt you, or to communicate to you any other Matters, lest you should be thereby diverted from the Business that I concluded you were then upon; but as you have at length been pleased to intimate to me, that I must not expect any Bill for Levying Men, in this Province, for the Royal Americans, till towards the Conclusion of the Session, and that which lies before you being not yet Framed, I shall, agreeable to your Desire, communicate to you some other Matters, beside those that I have more particularly recommended to your Consideration. For the better Defence and Security of the Western Frontier, I think a considerable Augmentation should be made to the Troops that have been already raised for that Purpose. Finding nothing less would prevent the fine Settlements of Conecochiegh being entirely broke up, and all that Part of the Country abandoned, I have ordered thither Detachments from the Militia of Prince-George's and Baltimore Counties, to cover the Inhabitants, and encourage them to remain on their respective Plantations; a Copy of my Instructions, together with Lists of the Names of the Men that are marched in Obedience

thereto, shall be laid before you, that you may provide for the Payment of them, and the Persons on whom they have Orders to draw for Provisions.

L. H. J.
Liber No. 48
September
25

Since our last Meeting, I have been obliged to send some Expresses to the neighbouring Governments on his Majesty's Service: The Messengers Receipts shall be laid before you, with an Account for the Postage of Public Letters that I have received, and I hope you will not decline making some Provision for my Reimbursement.
Gentlemen,

I am desired to acquaint you, that an Act of Assembly has been made in Virginia, to oblige the Masters of all Vessels that shall come into or go out of that Dominion, through the Capes, to pay Twopence a Ton on such Vessels every Voyage, towards building a Light-House on Cape-Henry, and for placing and constantly keeping a Light therein: As I conceive the Merchants, who Trade to this Province, are equally interested, and would receive as much Benefit from such a Light-House as any Persons in Virginia, or the Merchants that Trade thither, I recommend it to you to take this Matter under your Consideration; and if you are inclined to prepare a similar One, the Virginia Act shall be laid before you.

September 25, 1756.

Hor.^o Sharpe.

Fort Frederick Sept.^r the 10.th 1756.

Sir,

Yours of the 6.th Capt. Dagworthy has received and thro' his Illness Requested me to acquaint you, that the Return of Ammunition was by mistake Omitted but is Since Inclosed and Sent Express by the post, the Gorges of the Bastions, will be Inclosed with the utmost Expedition the Curtain Lines is carry'd on as follows. the North West with Timber Seven feet and an half high, the North East with Timber Six feet high, the South west with Stone one half Seven and an half feet high the other part four and an half feet high, the South East five feet high to the Gate, and half way from the Gate Eastward the Same heighth. As to the Information's of Some Indians coming into the Fort is Groundless, believe there was some about us by two Tracts that were seen, the Capt. desires youle be so good as let him know who Reported the Information of the Indians coming into the Fort.

Have this Day Engaged Some more Carpenters and expect some Masons from Lancaster on Monday next, and is now about getting the Stocades have about thirty thousand Bricks Moulded, which is all at present from your.

Most Obedient

Humble Servant

Alex Beall

the South East Curtain is now carried to the End the Timbers are ready for the Officers Barracks. Sep.^r 24.th

L. H. J. on Motion That an Address be prepared and Sent to his Excel-
 Liber No. 48 lency in answer to his Message of this day.
 September

25 Ordered that Col.^o Tilghman M.^r Carroll M.^r Mathew Tilghman
 p. 343 M.^r Hammond M.^r Williamson and M.^r Daniel Dulany do prepare
 and being in such Address.

The House Adjourns till 2 of the Clock afternoon.

Post Meridiem.

The house met according to Adjournment &c.

The house Adjourns till Monday Morning at 9 of the Clock.

September
 27

Monday 27.th September 1756.

The house met according to Adjournment &c.

all the Members Appeared as on Saturday Except M.^r John
 Reeder Junior M.^r J. Mackall M.^r Mathew Tilghman M.^r Robert
 Loyd Col.^o Edward Tilghman and M.^r Beall.

M.^r Bracco appeared in the House.

The house adjourns till 2. of the Clock afternoon.

Post Meridiem.

The house met according to Adjournment &c.

The Governor Communicated to M.^r Speaker the following papers
 Viz.^t

To Colonel	Belt Hall	} Commander in Chief of the
Militia of	Prince Georges and Baltimore	} Countys.

Sir,

As some Advices which I have Just Received gives me great Room to fear that a Large Body of French and Indians will very shortly make a Descent on this Province and endeavour to break up at once all our Settlements in the western parts of Frederick County and as it is thought Expedient and Necessary to make a Considerable number of the Militia to cover and protect the Distant Inhabitants, and on Occasion to Act in Conjunction with the Troops that have been Raised and are posted at Fort Frederick and other places beyond Conegochiegh I do hereby with the Advice of his Lordships Council of State Order and Require you as soon as possible to send from the Militia of your County a Detachment of 100 Men under the Command of a Captain Lieutenant and Ensign to Fort Frederick

where they will be joined by another Detachment of the same Number; after their Arrival at that Fort they will be supplied with Provisions by the Commissary M.^r Ross. and on their March thither the Officer must apply to the Press Masters for such Provisions and Carriages as shall be Necessary, with which the Press Masters are forthwith to furnish him on his Presenting my Warrant and passing such receipts as the Act of Assembly requires, They may be Supplied with some arms and Ammunition by Capt. Peter Butler of Frederick Town, but I would Advise them to provide themselves with both before they March: you must see that every Man takes with him a Blanket Cloaths enough for a Month from their Arrival at Frederick Town, before the Expiration of which Month they will be relieved. These Detachments from the Militia are to patrol between the North Mountain and Conegochiegh, the Commandant of Fort Frederick will Order two Guides or persons who are acquainted with that part of the Country to Join each of them, and in case it should by him and the Colonel of Frederick County be thought Necessary for the Detachments from the Militia to Act in Conjunction They are to put themselves under the Command of Colonel Thomas Prather who lives near Conegochiegh. You will give the Captain whom you shall Order from your County a Copy of these Instructions and Direct him to keep a Journal of his proceedings while on duty, to be returned me for the Assembly's Perusal; you may also give him any other additional Instructions that you think Necessary for his better guidance and Direction.

L. H. J.
Liber No. 48
September
27

p. 344

Given at Annapolis the
30.th day of August 1756.

H: S.

To his Excellency Horatio Sharpe Esquire.

Governor of Maryland.

May it please your Excellency.

I have the pleasure to Inform your Excellency that the Detachment of a Hundred, Ordered from the Militia of Prince Georges County was made up intirely of Voluntiers, as p List herewith, and that they all, except one Sick Man Marched from Bladensburgh on Saturday the 12.th Instant in high Spirits, under the Command of Capt. Joshua Beall, with the Instructions received from your Excellency for his Guidance.

I am apprehensive this may have taken longer time, than your Excellency expected but had it been effected with more Dispatch, the Detachment would probably consisted Chiefly of Draughted men, and I presume there cannot be the same Dependence of Service from those, as may be Reasonably expected from Voluntiers; many of ours, are of Good Familly, and have Considerable property to

L. H. J. defend and have Entered into the Service of their Country, with
 Liber No. 48 the greatest Alacrity.
 September

27

I delivered a Copy of the Recruiting Instructions to each Captain of our Militia, with Orders to be Deligent, And I am Sorry we have not hither met with any Success.

I am Your Excellency's Most Obedient

Humble Servant

Jos: Belt.

Baltimore Town 5.th of Sept.^r 1756.

Sir,

Your Instructions of the 30.th of August last came to hand the same Evening, and agreeable to said Orders we have Drafted out of the Militia of this County one Hundred Men to March under the Command of Capt. Tobias Stansbury as ^p the Inclosed List; there is a few more but have Ordered the Capt to discharge all but the above Number. Also three young Gentlemen are gone out Voluntiers near one half them have no Arms, Part of those they have the Capt. has Ordered to be impressed from a man near this Town which were for sale, he has also taken the Ammunition Lodged in this place.

I am also to inform your Excellency that one William Roberts (who is esteemed a Man of Credit) was with us Yesterday, and says he came through the South Mountain Thursday last, this side of which he saw four Houses burnt about four Miles from Major
 p. 345 Ogle's and that a Messenger came to him Yesterday Morning to give him an Account that four Men were killed the same day he came through Mountain and at the same Gap he passd which is not above Sixty five Miles from this Place altho the Danger is so near it was with great Difficulty we got the Number of Men.

I also received your Letter of 31.st of August inclosing your Recruiting Instructions I observed your orders and will do all in my power to get Men.

I am Your Excellencys

Most Humble Servant

John Hall

In Pursuance of an Order of the Honourable the Lower House of Assembly last Session, to enquire Whether the Indians mentioned in an Act, entituled, An Act to impower Commissioners to appoint and cause to be laid out Three Thousand Acres of Land on Broad-Creek in Somerset County, for the Use of the Nanticoke Indians, so long as they shall occupy the Lands mentioned in the said Act, and whether they did ever desert and leave the same, contrary to the Form of the said Act, We make the following Report: That

after due Notice, in Writing, being first set up at the Court-House-Door, and other Public Places, setting forth the above Order, and giving Notice to all Persons that might be affected by said Enquiry, that we proposed meeting on the Land aforesaid, on Thursday the 9th Day of September, on which Day we accordingly met, and upon strict Enquiry could not find that any Indians had occupied or been settled on the Land mentioned in the above recited Act for near Twelve months past; upon which we proceeded to examine into the Bounds of said Lands, they being well ascertained, and the Out-Lines of the same run, so as to discover the Number of White Persons settled thereon, which are as follows, viz. John Moore, junior, Thomas Baker, Joseph Smith, James Kersey, Michael Lynch, J. Reed, Part of William Baker and Francis Lanks Plantations; as also a Public Tobacco Warehouse, and several Store-Houses, on the same; which are held under Leases from the Indians, as we were informed, one being produced to us, which runs for the Term of Ninety-nine Years.

L. H. J.
Liber No. 48
September
27

All which is submitted to the Consideration of the Honourable House.

John Handy,
H. Waggaman,
John Henry.

A Motion, for Leave to bring in A Supplementary Bill to the Act, entituled, An Act empowering the Justices of Somerset County to levy not exceeding 20,000 lbs. of Tobacco, &c. was granted. Ordered, That M.^r Daniel Dulany, M.^r Waggaman, and Col. Henry, do prepare and bring in a Bill accordingly.

A Motion, That Leave be given to bring in a Bill For better Regulating the Militia of this Province, was granted. Ordered, That M.^r Daniel Dulany, M.^r Hammond, M.^r Murdock, M.^r Waggaman, M.^r Matthew Tilghman, and M.^r Carroll, do prepare and bring in a Bill accordingly. p. 346

The House adjourns until the Morrow Morning at 9 of the Clock.

Tuesday Morning 28th September, 1756.

September
28

The House met according to Adjournment, &c.

Capt. Fraser and Capt. Smith appeared in the House.

M.^r Carroll and M.^r Earle have Leave of the House to be absent.

On Motion, Resolved, That a further Sum of £2400 (Part of the Sum of £25,000 already raised by the Act, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c.) be applied to the Completion of Fort-Frederick, and

L. H. J. for Subsistence and Payment of the Men already raised to Garrison
 Liber No. 48 the said Fort.
 September 28

On Motion, Resolved, That the Companies of Militia sent from Prince-Georges and Baltimore Counties, to range on the Western Frontier, be supplied with sufficient Provisions, during the Time they shall continue on Duty; and that a Sum of Money Part of the £25,000 already raised by the Act For granting a Supply of £40000 be applied for Payment thereof.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Col. Addison, M.^r Matthew Tilghman, M.^r Beall, and M.^r Chapline, appeared in the House.

M.^r Daniel Dulany is added to the Gentlemen appointed to bring in the Bill for his Majesty's Service.

On Motion, Resolved, That the Draft made by his Excellency for £600 on the Agents appointed by the Act For granting a Supply of £40000 for his Majesty's Service, &c. and the Payment thereof by the Agents, are not warranted by the said Act.

The House adjourns until the Morrow Morning at 9 of the Clock.

September 29 Wednesday Morning, 29th September, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday.

On Motion, the Question was put, That 100 Men, including Officers, be raised and added to the 200 Men already raised and garrisoned in Fort-Frederick. Resolved in the Affirmative.

For the Affirmative,

T. Reeder,	Smallwood,	Govane,
Hicks,	Stoddert,	Smith,
Hynson,	Jenifer,	Earle,
Wallis,	J. Handy,	Ward,
Hammond,	Waggaman,	W. Dulany,
Gassaway,	M. Tilghman,	Henry,
Worthington,	Gray,	B. Handy.
Reynolds,	Paca,	

23

For the Negative,

Mills,	Murdock,	Evans,
Williamson,	Fraser,	Crabb,
B. Mackall,	Hawkins,	Chapline,
Dennis,	D. Dulany,	Beall,
Hyland,	Casson,	Sprigg.
Addison,	Bracco,	

17

On the Resolution of the foregoing Question, Resolved also, That a Sum of Money Part of the £25,000 already raised by the Act For granting a Supply of £40000, &c. be applied for Payment and Subsistence of the said 100 Men, or any Number thereof, when raised.

L. H. J.
Liber No. 48
September
29
p. 347

M.^r Waggaman is added to the Committee of Accounts.

On Motion, That the Governor's Accounts, for Payment of Money for Postage of Letters and Expresses for Publick Service, and the Muster-Rolls and Receipts for Payments made to the Soldiers, &c. be referred to the Examination of the Committee of Accounts: Ordered, That the said Committee do examine into the said Accounts, Muster-Rolls and Receipts, and make Report thereof to the House.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r James John Mackall appeared in the House.

His Excellency communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

You will be pleased to observe, that the Time, which the Detachments from the Militia of Prince-George's and Baltimore Counties were ordered to remain on the Frontiers, is almost expired: I think it would be highly proper to order some others to march and relieve them, but shall not give such Orders without your Advice.

As it must be more agreeable to these Detachments to be Victualled in the same Manner that the Troops at Fort-Frederick are, and as the impressing Provisions from the Frontier Inhabitants, at this Time, might greatly distress them, I hope you approve of the Directions I gave M.^r Ross, and that you will make Provision for his being immediately paid.

September 29, 1756.

Hor.^o Sharpe.

The House adjourns until the Morrow Morning at 9 of the Clock.

Thursday Morning, 30th September, 1756.

September
30

The House met according to Adjournment, &c.

The Honourable Col.^o Henry Hooper, Speaker, being greatly Indisposed, and unable to attend the Public Business, and having by Letter intimated the same to the House:

Ordered, That M.^r Matthew Tilghman and M.^r Benjamin Mackall do acquaint his Excellency, That the Speaker is Sick, and cannot attend the Public Business.

L. H. J.
Liber No. 48
September
30

Richard Lee, Esq; from the Upper House, acquaints the Members of this House, That the Governor desires them to proceed immediately to make Choice of a Speaker, which they accordingly did; and unanimously made Choice of M.^r Alexander Williamson to be their Speaker, and placed him in the Chair.

Ordered, That Capt. Stoddert and Capt. Jenifer do acquaint his Excellency, That this House hath made Choice of a Speaker.

Col. Tasker, from the Upper House, acquaints the Members of the Lower House, That the Governor requires them to present their Speaker to him.

M.^r Speaker left the Chair, and with the Members of the Lower House went to the Upper House, where he was presented by the Members of the Lower House to his Excellency.

p. 348 His Excellency approved the Choice.

M.^r Speaker (with the Members of the Lower House) returned, and re-assumed the Chair.

On Motion, the Question was put, That 100 Men of the Militia of this Province, be sent to relieve the Militia of Prince-George's and Baltimore Counties, already sent to range on the Western Frontier, as soon as the Time is elapsed which was limited for the Militia aforesaid to range. Resolved in the Affirmative.

For the Affirmative,

T. Reeder,	Gray,	W. Dulany,
Mills,	Travers,	D. Dulany,
Hicks,	Paca,	Casson,
Hynson,	Govane,	Bracco,
Wallis,	Smith,	Henry,
Worthington,	Hyland,	Evans,
Reynolds,	Ward,	B. Handy,
J. J. Mackall,	Addison,	Crabb,
B. Mackall,	Murdock,	Chapline,
Jenifer,	Fraser,	Beall,
Dennis,	Hawkins,	Sprigg. [33]

For the Negative,

Hammond,	Smallwood,	M. Tilghman.
Gassaway,	J. Handy,	[5]

On Motion, That an Address be prepared to his Excellency, in Answer to his Message of Yesterday: Ordered, That M.^r Daniel Dulany, M.^r Murdock, and Col. John Henry, do prepare and bring in an Address accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.
Liber No. 48
September
30

The House met according to Adjournment, &c.

M.^r John Reeder appeared in the House.

Ordered, That Major Hynson, Capt. Jenifer, and Capt. Gassaway, be added to the Committee for inspecting the Office and Proceedings of the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly.

M.^r Daniel Dulany brings in and delivers to M.^r Speaker an Address to his Excellency.

On Reading the said Address, the Question was put, That Part of the 100 Men, to be sent to relieve the Militia, now on the Frontier, be composed of one Moiety of the Militia, and of another Moiety from the Soliders Garrisoned in Fort-Frederick, and that it be inserted in the Address accordingly. Resolved in the Negative.

For the Negative,

T. Reeder,	Gray,	D. Dulany,
Mills,	Travers,	Casson,
Hicks,	Govane,	Bracco,
Hynson,	Smith,	Henry,
Wallis,	Hyland,	Evans,
Worthington,	Ward,	B. Handy,
Reynolds,	Addison,	Crabb,
J. J. Mackall,	Murdock,	Chapline,
B. Mackall,	Fraser,	Beall,
Jenifer,	Hawkins,	Sprigg. [31]
Dennis,		

For the Affirmative,

J. Reeder,	Smallwood,	J. Handy,
Hammond,	Stoddert,	M. Tilghman.
Gassaway,		[7]

On Resolution of the foregoing Question, the aforesaid Address was indorsed, Read, Approved, and Ordered to be ingrossed. p. 349

M.^r Daniel Dulany brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Message of the 29th Instant, we return your Excellency our Thanks for the Attention and Regard you have shewn to the Protection and Defence of this Province, in ordering out Detachments from the Militia of Prince-George's and Baltimore Counties; and shall make Provision to pay M.^r Ross for Victualling

L. H. J. these Detachments according to your Excellency's Directions to him,
Liber No. 48 as we are sensible that the impressing Provisions from the Frontier
September Inhabitants at this Time, might greatly distress them: And we
30 think, with your Excellency, that it would be highly proper to order
another Detachment of the Militia of One Hundred Men, to march
and relieve those already on our Frontier, there to remain for the
Term of One Month; and desire that you will be pleased to give
Orders for that Purpose.

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Capt. Crabb and Capt. Govane do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will be pleased to receive it: They return and acquaint M.^r Speaker that the Governor signified he would receive the Address immediately in the Conference Chamber.

Ordered, That Col. Henry, and 3 more, do present the Address to his Excellency.

On Motion, Ordered, That M.^r Daniel Dulany, M.^r Matthew Tilghman, M.^r Murdock, M.^r Hammond, and Col. Addison, do Revise the Laws, and make Report to the House what Laws will expire with the Close of this Session, unless they have a Revival.

Capt. Stoddert brings in and delivers to Mr. Speaker the following Report, viz.

By the Committee of Accounts, 30th September, 1756.

Your Committee having examined into the Governor's Accounts, for Payment of Money for Postage of Letters and Expresses for Public Service, and the Muster-Rolls and Receipts for Payments made to the Soldiers, &c. referred to their Examination by your Honourable House, do find, that the Muster-Rolls and Receipts aforesaid do make appear the Payment of the several Sums of Money charged to this Province in the Governor's Accounts, the Debet whereof amounts to £1380.8.2 except 5 s. 6 d. (overpaid to and charged by James Dixon in his Account for Blankets, bought of Sampson Lazarus, as by said Dixon's Account, and Lazarus's Receipt, may appear) which being deducted from the Debet aforesaid, there remains the Sum of £1380.2.8 in which said Account your Committee also find Credit given for "Cash paid his Excellency by the Commissioners of the Loan-Office, towards supporting Parties of Men on the Frontiers, for the Protection of the Inhabitants, £750 and by Orders drawn on Messieurs Murdock, Dick, and Wolstenholme, Agents, for £650.13.8" which several last mentioned Sums together make the Sum of £1380.13.8 out of which the Sum of £1380.21.8 being taken, there rests due to the Province, on that Account, a Ballance of 11 s.

Your Committee also observe, that the Receipts appear to support his Excellency's Account for Expresses; but that it does not appear in M.^r Green's Account for Postage of Letters, paid by the Governor, on what Service they were sent.

L. H. J.
Liber No. 48
September
30
p. 350

All which is submitted to the Consideration of your Honourable House.

(Signed p Order.) B. Nicholson, Clerk.

Upon Reading the said Report, Resolved, That the Sum of £630.2.8 contained in Two Orders, drawn by his Excellency on the Agents appointed by the Act For granting a Supply of £40 000 &c. and paid by the said Agents, were not in Pursuance of the said Act, or warranted thereby.

Resolved also, That any Charge for the Postage of Letters, directed to his Excellency the Governor, and properly Indorsed and Signed for his Majesty's Service, ought not to be allowed.

On Reading the said Report, the Question was put, Whether the Governor shall be paid for Expresses, by an Allowance in the Journal of Accounts, or by any other Method Resolved, That his Excellency be paid by an Allowance in the Journal of Accounts.

For Payment in the Journal,

T. Reeder,	Stoddert,	Murdock,
Wallis,	J. Reeder,	Fraser,
Hammond,	J. Handy,	Hawkins,
Gassaway,	Waggaman,	Bracco,
Worthington,	M. Tilghman,	Henry,
Reynolds,	Hyland,	B. Handy,
J. J. Mackall,	Ward,	Crabb,
Smallwood,	Addison,	Beall. [24]

For Payment by another Method,

Mills,	Gray,	W. Dulany,
Hynson,	Travers,	Casson,
Jenifer,	Smith,	Chapline.
Dennis,	D. Dulany,	[11]

On Motion, Resolved, That his Excellency be reimbursed the £630.2.8 paid to the Rangers, in Pursuance of an Address of this House last Session, and that the same be applied out of the £25,000 already raised by the Act For granting a Supply of £40000 &c.

The House adjourns until the Morrow Morning at 9 of the Clock.

Friday Morning 1st October, 1756.

October 1

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Paca and M.^r Earle.

L. H. J.
Liber No. 48
October 1

M.^r Daniel Dulany brings in and delivers to M.^r Speaker a Bill, entituled, An Act for his Majesty's Service, and further Defence and Security of this Province; which was Read the first Time, and Ordered to lie on the Table.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Capt. Jordan appeared in the House.

M.^r Waggaman brings in and delivers to M.^r Speaker a Bill, entituled, An Act for Regulating the Militia of the Province of Maryland; which was Read the first Time, and Ordered to lie on the Table.

The House adjourns until the Morrow Morning at 9 of the Clock.

October 2

Saturday Morning, 2^d October, 1756.

p. 351

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Mills, M.^r Hicks, M.^r Hammond, M.^r Benjamin Mackall, and Capt. Stoddert.

M.^r Matthew Tilghman brings in and delivers to M.^r Speaker the following Address, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

It will always give us Uneasiness to find ourselves under the Necessity of disapproving any Part of your Conduct; but there are some Matters mentioned in your Message of the 25th of September, which, in our Duty to our Constituents, and common Justice to ourselves, we are indispensibly obliged to take Notice of. Your Excellency was pleased, in that Message, to acquaint us, that you had drawn on the Agents for a Sum of Money towards defraying the Expence of the Troops that were, with our Approbation, raised and supported for the Protection of the Frontier Inhabitants last Spring. That those Troops were raised with our Approbation is undoubtedly True; and it is as True, your Excellency was assured, by an Address of this House the last Session, that when Accounts should be laid before us, we would consider of some Method to reimburse your Excellency what Money you might have advanced to keep on Foot the Ranging Parties on the Frontier of this Province. As this was the Case, we can't but be surprized that your Excellency could possibly so far suspect this House of not complying with their most solemn Engagement, as to lay Hands on any Part

of the Public Money, appropriated to another Purpose, to reimburse yourself that Expence: A Suspicion, at this Time, as unseasonable, as it is groundless and unjust. We are impowered not only to raise, but to enquire into the Disposition of all Public Money; and as it is our Duty, so it is our Resolution, to preserve this essential and peculiar Privilege of our House, by giving Discountenance to every Misapplication of it.

L. H. J.
Liber No. 48
October 2

And now, to convince you how groundless your Suspicions were, we beg Leave to acquaint your Excellency, that, as we are thoroughly satisfied of the Misapplication of that Money by the Agents, and therefore look on them as accountable for it, and that your Excellency cannot hesitate to repay the same into their Hands, to be applied according to the Directions of the Act, in Virtue of which it was raised, we have, by a Bill now before us, made Provision for your immediate Reimbursement of the Expences of those Troops.

In the same Message you are pleased to say, that we have at length intimated to you, that you must not expect any Bill for Levying Men, in this Province, for the Royal Americans, till towards the Conclusion of the Session: This is an Insinuation that we are wanting in Duty to his Majesty, and that, instead of forwarding his Service, we postpone the Consideration of it to every other Matter. We shall no farther take Notice of the great Injustice done us herein, than to desire your Excellency to recur to our Address of the Twenty-fourth of September, to which the above Message is an Answer, and examine what possible Foundation there is for it; and we shall readily appeal to that, and to all other our Proceedings, to evince, not only our Warmth of Zeal for his Majesty's Service, but to shew, that we have ever given it the first Place in our Deliberations. p. 352

What your Excellency recommends, concerning a Light-House to be built on Cape-Henry, is a Matter altogether new, and therefore we choose to postpone the Consideration of it to the next Session of Assembly.

On Reading the said Address, the Question was put, Whether in that Part of it, viz. [And we must beg your Excellency to be assured, that no Person, in whatever Station, can be more industrious in contriving, that we are active and vigilant in detecting all Misapplications,] shall be Altered, or Not? Resolved in the Affirmative.

For the Affirmative,

Hynson,	Waggaman,	Casson,
Wallis,	Travers,	Scarborough,
Jenifer,	Govane,	Henry,
J. Handy,	Ward,	Evans,
Dennis,	D. Dulany,	B. Handy,
Gray,	W. Dulany,	Chapline.

L. H. J.
Liber No. 48
October 2

For the Negative,		
T. Reeder,	Jordan,	Hawkins,
J. Reeder,	M. Tilghman,	Bracco,
Gassaway.	Smith,	Crabb,
Worthington,	Hyland,	Beall,
J. J. Mackall,	Addison,	Sprigg.
Smallwood,	Fraser,	

17

In Pursuance of the foregoing Resolve, the following Alteration was Proposed, and Ordered to be inserted in the said Address, viz. And as it is our Duty, so it is our Resolution, to preserve this essential and peculiar Privilege of our House, by giving Discountenance to every Misapplication of it.

The said Address was accordingly Altered, Read, Approved, and Ordered to be ingrossed.

On Motion, Resolved, That any Member of this House, who shall depart without Leave, shall be liable to such Fine as shall be imposed by the House for such Behaviour.

On Motion, Ordered, That Capt. Jordan, Col. Henry, M.^r Bracco, M.^r Waggaman, and Capt. Casson, do make a Calculation of the Expence that will be necessary for purchasing Arms, Ammunition, &c. for the Use of this Province, and make Report thereof to the House.

On Motion, the Question was put, Whether the House will now take into Consideration the Continuing of Forces on the Frontier; beyond the Tenth Day of February next? or Not. Resolved in the Affirmative.

For the Affirmative,

T. Reeder,	Waggaman,	Hawkins,
J. Reeder,	Gray,	D. Dulany,
Hynson,	Travers,	W. Dulany,
Wallis,	Govane,	Henry,
J. J. Mackall,	Smith,	Evans,
Smallwood,	Hyland,	B. Handy,
Jordan,	Ward,	Crabb,
Jenifer,	Addison,	Chapline,
J. Handy,	Murdock,	Beall,
Dennis,	Fraser,	Sprigg. [30]

For the Negative,

Gassaway,	M. Tilghman,	Bracco.
Worthington,		

[4]

Post-Meridiem.

L. H. J.
Liber No. 48
October 2

The House met according to Adjournment, &c.

On Motion, Resolved, That 300 Men be kept in Pay. to range on the Western Frontier, at the Expence of this Province, until the 10th Day of April next.

M.^r Matthew Tilghman brings in and delivers to M.^r Speaker an ingrossed Address to his Excellency; which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Capt. Govane and M.^r Benjamin Handy do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker, that the Governor signified he would receive the Address in an Hour's Time in the Conference Chamber.

Ordered, That M.^r Matthew Tilghman, with Three more, do present the Address.

The House adjourns until Monday Morning at 9 of the Clock.

Monday Morning, 4th October, 1756.

October 4

The House met according to Adjournment: All the Members appeared as on Saturday, except M.^r Chapline.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r John Goldsborough, M.^r Edmondson, and M.^r Carroll, appeared in the House.

Capt. Jordan brings in and delivers to M.^r Speaker the following Report, viz.

By the Committee appointed by the Honourable the Lower House of Assembly to make an Estimate of the Cost of Arms and Ammunition, for the Use of this Province, and the Expence of raising and supporting 100 Men for the Defence of the Western Frontier, until the 10th Day of April, 1757.

The following Estimate is made and submitted to the Consideration of the Honourable House.

L. H. J.
Liber No. 48
October 4

	Ster.	Currency.
100 Muskets, Bayonets, Belts, and Car- touch-Boxes, at 27 s.	£. 135 0 0	
Commission, $2\frac{1}{2}$ p Cent	3 7 6	
Freight and Insurance p Cent	27 0 0	Exch. ^a @ 70 p £281.2.9
100 lbs. Powder,	3 15 0	
Freight, Insurance, and Commission, $22\frac{1}{2}$ p Cent	0 16 10 $\frac{1}{2}$	7 16 2 $\frac{1}{4}$
100 lbs. Barr Lead, ...	0 15 0	
Commission, Freight, and Insurance, $22\frac{1}{2}$ p Cent	0 3 4	1 11 2 $\frac{1}{2}$
Casting Moulds for the Muskets,	1 0 0	
Commission, Freight, and Insurance, $22\frac{1}{2}$ p Cent	0 4 6	2 1 8
The Bounty for Enlisting 97 Men at 22/6	£. 109 2 6	
Captain's Pay 12/6 p Day, from Nov. 1st to April 10th, 160 Days,	100 0 0	
2 Lieutenants Ditto at 6/8.....	106 13 4	
Ensign's Ditto at 5/0.....	40 0 0	
4 Serjeants Ditto at 1/6.....	48 0 0	
p. 354 4 Corporals Ditto at 1/2.....	37 6 8	
1 Drummers Ditto at 1/2.....	9 6 8	
88 Private Soldiers at 9 d.....	528 0 0	
Provisions for 100 Men 160 Days, at 9 d.....	600 0 0	
97 Blankets at 12/6.....	60 12 6	
13 Beds,	7 0 0	
97 Knapsacks at 3 s.....	14 11 0	
Kettles, Spoons, Bowls, and Knives, Cloathing, consisting of a Coat, a Pair of Breeches, 1 Pair of Stockings, 1 Hat, 1 Shirt, and 1 Pair of Shoes, for 97 Men, and making the Cloaths,	20 0 0 242 10 0	
£. 1923 2 8		

For establishing 200 Men in Fort-Frederick, in the Room of those now in the said Fort, which are to be disbanded the 10th of February, 1757, and subsisting them from the 10th of February to the 10th of April following.

L. H. J.
Liber No. 48
October 4

Bounty Money for 194 Men at 22/6	£. 218 5 0	
Pay of 2 Captains, from the 10th of February to the 10th of April, 59 Days, at 12/6 p Day,	73 15 0	
4 Lieutenants at 6/8 p Day,.....	78 13 4	
2 Ensigns at 5/0,.....	20 10 0	
8 Serjeants at 1/6.....	35 8 0	
8 Corporals at 1/2.....	27 10 8	
2 Drummers at 1/2.....	6 17 8	
176 Private Men at 9 d. 59 Days,.	389 8 0	
Provision for 176 at 9 d. Ditto,...	389 8 0	
		1209 9 0
Pay of the Surgeon, Commissary, and Gun-Smith, for 60 Days,.....	47 0 0	
Additional Pay of Captain, Lieutenant, 4 Serjeants, and 4 Drums, for 1 Month,.....	52 5 0	
		1308 14 0
		78 13 4
		£. 1387 7 4

John Jordan,
John Henry,
John Bracco,
Henry Casson.

The House adjourns until the Morrow Morning at 9 of the Clock.

Tuesday Morning, October 5, 1756.

October 5

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Waggaman.

Col. Henry brings in and delivers to M.^r Speaker a Bill entituled, An Act empowering the Justices of Somerset County to levy not exceeding 20,000 lbs. of Tobacco upon the taxable Inhabitants of said County, to be applied to the Purpose therein directed; which was Read the first Time, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

L. H. J.
Liber No. 48
October 5

Post-Meridiem.

The House met according to Adjournment, &c.

p. 355

On Reading the second Time the Bill entituled, An Act for his Majesty's Service, and further Defence and Security of this Province, the Question was put, Whether there shall be a Clause inserted therein for Disarming the Roman Catholics in this Province, or Not. Resolved in the Negative.

For the Negative,

J. Reeder,	Gray,	Scarborough,
Hynson,	Travers,	Henry,
Wallis,	Hyland,	Evans,
Smallwood,	Ward,	B. Handy,
Jenifer,	D. Dulany,	Beall.
J. Handy,	W. Dulany,	
Dennis,	Casson,	

19

For the Affirmative,

T. Reeder,	J. Goldsborough,	Murdock,
Gassaway,	M. Tilghman,	Fraser,
Carroll,	Edmondson,	Hawkins,
Worthington,	Govane,	Bracco,
J. J. Mackall,	Smith,	Crabb,
Jordan,	Addison,	Sprigg.

18

The Bill entituled, An Act for his Majesty's Service, and further Defence and Security of this Province, was Read the second Time, and will pass; and was sent to the Upper House by M.^r Matthew Tilghman and M.^r Carroll.

On Motion of a Member, the following Act, entituled, An Act for Settlement of an annual Revenue upon her Majesty's Governor within this Province, for the Time being, was Ordered to be Read, and Entered on the Journal of the Proceedings of this House in the following Words, viz.

An Act for Settlement of an annual Revenue upon her Majesty's Governor within this Province, for the Time being.

Whereas by an Act of Assembly, formerly made, entituled, An Act for providing a Support for the Lord Proprietary of this Province, and likewise a Supply for defraying the Public Charge of the Government, it was, by the said Act, published and declared, that from and after the First Day of September then next ensuing, there should be raised, levied, collected, and paid, to the said Lord Proprietary, the Sum of Two Shillings Sterling for every Hogshead, or Quantity of a Hogshead of Tobacco, which should be at any

Time thereafter shipped in any Ship or Vessel, to be exported out of this Province, on Condition that his said Lordship should receive his Rents and Fines for Alienation of Lands, in good, sound, merchantable Tobacco, when tendered, at the Rate of Two-pence per Pound for one Moiety of the said Imposition; the other Moiety, by the said Act raised, to be employed towards maintaining a constant Magazine, and defraying other public and necessary Charges of the Government.

L. H. J.
Liber No. 48
October 5

And whereas former Assemblies, upon strict Enquiry made into the Premises, did find his said Lordship had not only been very deficient, and at small Charge and Expence in maintaining a Magazine as aforesaid, but that this Province hath been obliged to defray all public Charges, arising for the Support of Government, by Way of an equal Assessment upon the Inhabitants thereof; the several Provisoos in the afore-recited Act, to the contrary, notwithstanding.

And whereas also his said Lordship the aforesaid Moiety of Two Shillings per Hogshead, under Pretext of maintaining a Magazine as aforesaid (until Time of their late Majesties King William and Queen Mary taking this Province under their immediate Protection), did convert to his own Use, to the Impoverishing of the Country, and Defraud of the Public; and being incapacitated of complying with what by the said Act, for the said Moiety of Two Shillings per Hogshead, is required :

p. 356

Be it therefore Enacted, by the Queen's most excellent Majesty, by and with the Advice and Consent of her Majesty's Governor, Council, and Assembly of this Province, and the Authority of the same, That the said One Shilling per Hogshead for defraying the Charges of Government aforesaid, as well for such Ships or Vessels as have already cleared before the making of this Act, as for such remaining in this Province, be raised, levied, collected, and paid unto our Sovereign Lady the Queen's most excellent Majesty, her Heirs, and Successors, for the Support of her Government for the Time being, in and over this her Majesty's Province aforesaid, and the Territories to the same belonging, for every Hogshead and Quantity of an Hogshead of Tobacco, which have been for and during the Time aforesaid, or which hereafter shall be at any Time shipped in any Ship or Vessel, to be exported out of this Province, or any the Territories, Islands, Ports, Rivers, Creeks, or Places, thereunto belonging, as aforesaid.

And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That the said Duty and Imposition shall be from Time to Time paid and satisfied by the Master or Masters of every such Ship or Vessel respectively, in which any such Tobacco shall be exported, upon his or their Clearing, or taking out his or their Dispatch or Dispatches, for every such respective Ship or Vessel, and before the Departure of such Ship or Vessel com-

L. H. J.
Liber No. 48
October 5

ing into this Province, shall at their first Arrival here, and before their loading on board any Goods or Commodities of the Growth, Production, or Manufacture of this Province, give good and sufficient Security to his Excellency, or to the Officer thereunto especially appointed, for the Payment of the said Duty or Imposition accordingly.

Provided always, and it is the true Intent and Meaning hereof, That this Act, nor any Thing herein contained, shall be adjudged, construed, reputed, or taken (any Thing herein expressed to the contrary notwithstanding), to disannul or make void his Lordship's Right to the other Moiety of the said Two Shillings per Hogshead, to be paid in Consideration of his Rents and Alienation Money in Tobacco at Two Pence per Pound, during the Term of his natural Life (but that the same be kept and hereby preserved to his Lordship in as full and ample Manner as by the said Law is expressed or intended), or in the least to discharge his Lordship of receiving the Rents aforesaid at Two Pence per Pound, as by the said Act is enjoin'd, during also the Term of his natural Life; nor to discharge his Lordship from accounting for the Arrears of the One Shilling per Hogshead, for supporting the Government and providing Arms and Ammunition, but that he be obliged to all the aforesaid Matters and Things as fully and strongly as if the said Law were in full Force.

And be it further Enacted by the Authority aforesaid, That every Master of a Ship or Vessel as aforesaid, at the Time of his Clearing, shall upon Oath declare the Quality and Quantity of his Loading; and that the Naval Officer, by the Governor aforesaid appointed for the Time being, shall, and is hereby impowered to administer the said Oath; and in case the said Master shall refuse the said Oath, or upon
p. 357 Suspicion of having Goods on board for which he hath not cleared, it shall be lawful for the said Naval-Officer to enter on board any such Ship or Vessel, and the same to search for any such Goods as aforesaid; any Thing in this Act beforementioned notwithstanding.

Whereupon it was Resolved, That the Raising and Levying the Sum of 12 d. Sterling per Hogshead on all Tobacco Exported, &c. by the Lord Proprietary of this Province, is Arbitrary and Illegal.

Resolved also, That if the Lord Baltimore cou'd, with any Propriety, be deemed the Heir or Successor to the Crown, yet, that the Sum of three pence Part of the 12 d. now raised and collected under Colour of the abovementioned Act, should, according to the plain and natural Construction thereof, confirmed by her late Majesty Queen Anns Instructions for that Purpose, be applied towards maintaining a Magazine for the Defence of this Province.

The House nevertheless Reserving and Asserting the Rights of their Constituents, his Majesty's Subjects, the Freemen of this Province, and Protesting against the above violent and oppressive

Invasion thereof, have, at this Time of imminent Danger, Resolved, That the Sum of £3100 be laid out and applied in the Purchase of Arms and Ammunition for the Defence of this Province: And have accordingly made a Provision in the Act, entituled, An Act for his Majesty's Service, and further Defence and Security of this Province.

L. H. J.
Liber No. 48
October 5

The House adjourns until the Morrow Morning at 9 of the Clock.

Wednesday Morning, 6th October, 1756.

October 6

The House met according to Adjournment: All the Members appeared as Yesterday, except M.^r Thomas Reeder.

The Bill, entituled, An Act impowering the Justices of Somerset County to levy not exceeding 20,000 lbs. of Tobacco upon the taxable Inhabitants, &c. was Read the second Time, and will pass; and was sent to the Upper House by Col. Henry and Capt. Handy.

His Excellency communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

Herewith you receive a Petition from several of the Inhabitants of Charles County, who complain of an irregular and undue Election of Inspectors for Piles's Warehouse. I submit the Petition to your Consideration, and recommend it to you to prepare a Bill for Remedying the Evil by the Petitioners complained of.

October 6, 1756.

Hor.^o Sharpe.

His Excellency communicated to M.^r Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

The inclosed Accounts for Provisions and sundry Things, impressed in Baltimore County for the Detachment of Militia that marched thence to the Frontiers under the Command of Capt. Stansbury, you will be pleased to examine, and make the Persons, from whom such Things were taken, a reasonable Allowance.

October 6, 1756.

Hor.^o Sharpe.

The House adjourns until 2 of the Clock Afternoon.

p. 358

Post-Meridiem.

The House met according to Adjournment, &c.

M.^r Reynolds appeared in the House.

On Reading the second Time the Bill, entituled, An Act for Regulating the Militia of the Province of Maryland, the Question, was put, Whether the Sum of Five Pounds shall be Levied upon the Goods and Chattels of any Person absconding and carrying away

L. H. J. the Arms belonging to the Province? or Not. Resolved in the
 Liber No. 48 Affirmative.
 October 6

For the Affirmative,

J. Reeder,	J. Handy,	Hawkins,
Wallis,	Dennis,	D. Dulany,
Gassaway,	J. Goldsborough,	W. Dulany,
Carroll,	Edmondson,	Scarborough,
Worthington,	Gray,	Evans,
J. J. Mackall,	Smith,	Crabb,
Reynolds,	Addison,	Beall,
Smallwood,	Murdock,	Sprigg.
Jordan,	Fraser,	[26]

For the Negative,

Hynson,	Govane,	Bracco,
M. Tilghman,	Ward,	Henry.
Travers,	Casson,	[8]

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker a Petition of John Winter and Charles Love, the Two Inspectors of Piles's Warehouse in Charles County; and a Petition of sundry Persons, Ordinary-Keepers, and other Inhabitants, residing in or near Cambridge in Dorchester County; and a Petition of Anne Cockshut, of Calvert County; indorsed, By the Upper House of Assembly, October 6, 1756. Read and Referred to the Consideration of the Lower House of Assembly.

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker the Bill, entituled, An Act for his Majesty's Service, and for the better Defence and Security of this Province; indorsed, "By the Upper House of Assembly, October 6th, 1756. Read the first Time, and Ordered to lie on the Table.

Signed per Order. J. Ross, Cl. Up. Ho.

And thus, By the Upper House of Assembly, October 6, 1756. Read the second Time by especial Order, and will pass.

Signed per Order. J. Ross, Cl. Up. Ho.

Which Bill was Read here, and passed for ingrossing.

The House adjourns until the Morrow Morning at 9 of the Clock.

October 7

Thursday Morning, October 7, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except Major Hyland and M.^r Benjamin Handy.

On Reading the second Time the Bill, intituled, An Act for Regulating the Militia, &c. the Question was put, Whether the Clause, which prevents the present Military Officers from Resigning their Commissions without being compelled to serve as private Men after such Resignation, be Altered, or Not? Resolved in the Negative.

L. H. J.
Liber No. 48
October 7

For the Negative,

Hynson,	Travers,	W. Dulany,
Reynolds,	Govane,	Casson,
J. J. Mackall,	Ward,	Bracco,
Smallwood,	Addison,	Scarborough,
Jordan,	Murdock,	Crabb,
Edmondson,	Hawkins,	Beall.
Gray,	D. Dulany,	[20]

For the Affirmative,

Wallis,	Dennis,	Fraser,
Gassaway,	J. Goldsborough,	Henry,
Carroll,	M. Tilghman,	Evans,
Jenifer,	Smith,	Sprigg.
J. Handy,		[13]

On Reading the Militia Bill aforesaid, the Question was put, Whether the Members of the Upper and Lower Houses of Assembly shall be Exempted from Military Service at any Time except in the Sitting of Assembly, or Not? Resolved in the Affirmative.

For the Affirmative,

J. Reeder,	Jenifer,	Murdock,
Wallis,	Dennis,	Fraser,
Gassaway,	J. Goldsborough,	Hawkins,
Carroll,	M. Tilghman,	D. Dulany,
Reynolds,	Edmondson,	W. Dulany,
J. J. Mackall,	Govane,	Beall.
Smallwood,		[19]

For the Negative,

Hynson,	Smith,	Scarborough,
Worthington,	Ward,	Henry,
Jordan,	Addison,	Evans,
J. Handy,	Casson,	Crabb,
Gray,	Bracco,	Sprigg.
Travers,		[16]

L. H. J. Col. Tasker, from the Upper House, delivers to M.^r Speaker the
 Liber No. 48 Bill, entituled, An Act impowering the Justices of Somerset County
 October 7 to levy not exceeding 20,000 lbs. of Tobacco upon the taxable In-
 habitants, &c. indorsed, " By the Upper House of Assembly, October
 7, 1756. Read the second Time, and will pass.

" Signed per Order. J. Ross, Cl. Up. Ho."

Which Bill was Read here, and passed for ingrossing.

On a further Progression in Reading the Bill, entituled, An Act
 for Regulating the Militia of the Province of Maryland, the Question
 was put, Whether any Negro absconding or resisting, shall be liable
 to be shot upon Refusal to surrender himself, or Not Resolved in
 the Negative.

For the Negative,

J. Reeder,	J. Handy,	D. Dulany,
Hynson,	J. Goldsborough,	W. Dulany,
Wallis,	M. Tilghman,	Casson,
Gassaway,	Gray,	Bracco,
Carroll,	Travers,	Beall,
Worthington,	Ward,	Sprigg.
Jordan,	Addison,	

20

For the Affirmative,

Reynolds,	Edmondson,	Hawkins,
J. J. Mackall,	Govane,	Scarborough,
Smallwood,	Smith,	Henry,
Jenifer,	Murdock,	Evans,
Dennis,	Fraser,	Crabb.

15

p. 359 On Reading throughout, the Bill entituled, An Act for Regulating
 the Militia of the Province of Maryland, the Question was put,
 Whether the said Bill shall pass, or Not Resolved in the Negative.

For the Negative,

J. Reeder,	Jenifer,	Addison,
Wallis,	J. Goldsborough,	Murdock,
Gassaway,	M. Tilghman,	Fraser,
Carroll,	Edmondson,	Hawkins,
Worthington,	Gray,	Scarborough,
Reynolds,	Travers,	Evans.
J. J. Mackall,	Govane,	

[20]

For the Affirmative,

L. H. J.
Liber No. 48
October 7

Hynson,	Smith,	Bracco,	
Smallwood,	Ward,	Henry,	
Jordan,	D. Dulany,	Crabb,	
J. Handy,	W. Dulany,	Beall,	
Dennis,	Casson,	Sprigg.	15

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On Motion, Leave is given to bring in A Supplementary Bill to the Act for granting a Supply of £40000 &c.

Ordered, That M.^r Matthew Tilghman, M.^r Carroll, and M.^r Walter Dulany, do prepare and bring in a Bill accordingly.

On Motion, the Question was put, Whether Leave be given to bring in a Militia Bill this Session, or Not Resolved in the Negative.

For the Negative,

J. Reeder,	Smallwood,	Ward,	
Wallis,	Jenifer,	Addison,	
Gassaway,	J. Handy,	Fraser,	
Carroll,	Dennis,	Hawkins,	
Worthington,	J. Goldsborough,	Scarborough,	
Reynolds,	Edmondson,	Evans.	
J. J. Mackall,	Smith,		20

For the Affirmative,

Hynson,	Murdock,	Henry,	
M. Tilghman,	D. Dulany,	Crabb,	
Gray,	W. Dulany,	Beall,	
Travers,	Casson,	Sprigg.	
Govane,	Bracco,		14

The Petition of Trinity Parish, in Charles County, was Read, and Leave given to bring in a Bill prayed.

The Petition of John Walter and Charles Love, Two Inspectors at Piles's Warehouse, was Read, and Leave given to bring in a Bill according to Prayer.

Ordered, That M.^r Daniel Dulany, M.^r Murdock, and M.^r John Goldsborough, do prepare and bring in a Bill for the Relief of Trinity Parish in Charles County, and for the Relief of John Winter and Charles Love, Inspectors at Piles's Warehouse. p. 360

L. H. J.
Liber No. 48
October 7

On Motion, Leave given to bring in a Bill for the Relief of Jonas Green, Printer: Ordered, That M.^r Daniel Dulany do prepare and bring in a Bill accordingly.

M.^r Matthew Tilghman brings in and delivers to M.^r Speaker an Ingrossed Bill, entituled, An Act for his Majesty's Service, and further Defence and Security of this Province; which was Read and Assented to, and sent to the Upper House, with the Paper Bill, by M.^r Edmondson and Capt. Govane.

M.^r Daniel Dulany brings in and delivers to M.^r Speaker a Bill, entituled, An Act for the Relief of sundry of the Inhabitants of Charles County; which was Read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by M.^r Smallwood and Capt. Jordan.

The House adjourns until the Morrow Morning at 9 of the Clock.

October 8

Friday Morning, 8th October, 1756.

The House met according to Adjournment: All the Members appeared as Yesterday, except Col.^o John Henry and Capt. John Handy.

M.^r Daniel Dulany brings in and delivers to M.^r Speaker a Bill, entituled, A Supplementary Act to the Act, entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer; which Bill was Read the first and second Time by an especial Order, and will pass.

M.^r Matthew Tilghman brings in and delivers to M.^r Speaker A Supplementary Bill to the Act, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same; which Bill was Read the first and second Time by an especial Order, and will pass.

Which Two Bills were sent to the Upper House by Major Hynson and M.^r Hawkins.

M.^r Dennis brings in and delivers to M.^r Speaker an ingrossed Bill, entituled, An Act empowering the Justices of Somerset County to levy not exceeding 20,000 lbs. of Tobacco upon the taxable Inhabitants, &c. which was Read and Assented to, and was sent to the Upper House, with the Paper Bill, by M.^r Dennis and M.^r Wallis.

M.^r Walter Dulany brings in and delivers to M.^r Speaker the following Report, viz.

Maryland ss^t

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit, established by Act of Assembly, September 17, 1756.

L. H. J.
Liber No. 48
October 8

p. 361

Were Present,

The Honble Col. Richard Lee, of the Upper House;

M. ^r Walter Dulany,	} of the Lower House.
M. ^r Michael Earle,	
M. ^r Josiah Beall,	
M. ^r Alexander Williamson,	
M. ^r John Bracco,	
M. ^r John Handy, and	
Col. ^o John Henry,	

Afterwards, on {
the 1st Day of { Major William Hynson,
October, Ap- { Cap.^t Daniel of St. Thomas
peared, { Jenifer, and
{ Cap.^t John Gassaway,

Who make Choice of and Appoint the Honourable Col. Richard Lee, Chairman; and Richard Dorsey their Clerk, and proceed to make the following Report.

[The report is printed in full in the Upper House Journal, pages 563-84.]

Which was Read, and Ordered to lie on the Table.

p. 369

Ordered, That M.^r Hawkins, M.^r Casson, M.^r Smallwood, M.^r Reynolds, M.^r James John Mackall, M.^r Govane, Major Travers, M.^r Crabb, and M.^r Fraser, be added to the Committee, appointed for Inspecting the Office and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, &c.

Col. Robert Jenckins Henry, from the Upper House, delivers to M.^r Speaker, the Bill, entituled, An Act for the Relief of sundry of the Inhabitants of Charles County; indorsed, By the Upper House of Assembly 6th Octo. 1756. Read the first Time and Ordered to lye on the Table

Signed p Order J Ross Cl Up Ho

By the Upper House of Assembly, 7th October, 1756. Read the second Time, and will pass.

Signed per Order. J. Ross, Cl. Up. Ho.

Which Bill was Read here, and passed for ingrossing.

Richard Lee, Esq; from the Upper House, delivers to M.^r Speaker, the Bill, entituled, A Supplementary Act to the Act, entituled, An Act for the speedy and effectual Publication of the Laws of this Prov-

L. H. J.
Liber No. 48
October 8

ince, &c. and the Bill entituled, A Supplementary Act to the Act, entituled, An Act for granting a Supply of £40000 for his Majesty's Service, &c. severally indorsed, By the Upper House of Assembly, October 7, 1756. Read the first and second Time by an especial Order, and will pass.

Signed p Order. J. Ross, Cl. Up. Ho.

p. 370 Which two Bills were severally Read here, and passed for ingrossing.

On Motion, Leave given to bring in A Supplementary Bill to the Act for Prohibiting the Exportation of Provisions, &c.

Ordered, That M.^r Daniel Dulany do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Capt. Jordan brings in and delivers to M.^r Speaker, an ingrossed Bill, entituled, An Act for the Relief of sundry of the Inhabitants of Charles County; which was Read and Assented to, and sent to the Upper House, with the Paper Bill, by M.^r Baker and M.^r Worthington.

M.^r Levin Gale, a Delegate returned by the Sheriff of Somerset County to serve in this present Assembly, appeared in the House.

Ordered, That M.^r Dennis and Col. Scarborough do go with M.^r Gale to the Upper House, to see him Qualified: They return and acquaint M.^r Speaker they saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

M.^r Daniel Dulany brings in and delivers to M.^r Speaker, a Bill, entituled, An Act for further Continuing an Act, entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards supplying the French or their Allies; which was Read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by Major Travers and M.^r Sprigg.

Col. Lloyd, from the Upper House, delivers to M.^r Speaker, the Bill, entituled, An Act for further Continuing an Act, entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, &c. indorsed, By the Upper House of Assembly, October 8, 1756. Read the first and second Time by an especial Order, and will pass.

Signed per Order. J. Ross, Cl. Up. Ho.

Which Bill was Read here, and passed for ingrossing.

On Motion, the Report from the Committee appointed to Inspect the Office and Proceedings of the Commissioners of the Paper-Currency-Office, was Read, and the House concurs therewith.

L. H. J.
Liber No. 48
October 8

On Motion, the Question was put, That an Address be prepared to his Excellency, to request him to direct that the Bonds of the several Clerks and Sheriffs, complained of in the said Report, be forthwith put in Suit.

Ordered, That M.^r Daniel Dulany, M.^r Matthew Tilghman, and M.^r Carroll, do prepare and bring in such Address.

His Excellency communicated to M.^r Speaker the following Message, viz.^t

p. 371

Gentlemen of the Lower House of Assembly,

I find by your Address of the second Instant, that you were not well pleased with the Agents for having repaid me Part of the Money that I had advanced for the Protection of the Frontiers, and that you concluded, from my having drawn on them for such Money, that I suspected your House would refuse to comply with their most solemn Engagement. I confess I was not sorry to see you a little warm while you attributed that Step of mine to such a Motive; but if you are not Conscious of having ever given me Reason, why would you suppose that I harboured such a Suspicion, or imagined, that when you declared you would consider of some Method to reimburse me, you intended otherwise than to provide for my being immediately repaid the Money, that, upon the Faith of such an Engagement, I should advance? In Fact, I wanted the Money to raise Recruits, agreeable to the Earl of Loudoun's Requisition: To that Use has it been, for the most part, appropriated; and thereby near a Third Part of the Men that you have Voted, are already raised for the Royal American Regiment.

Gentlemen,

In Compliance with your Request, I have recurred to the latter Part of your Address, dated the 24th of September, and am still of Opinion, that both that and your Proceedings, from the Opening of this Session to that Time, sufficiently justify the Expression, at which you were offended; and I appeal to every one that shall be informed how you have employed yourselves this Session, Whether I have by that, or any other Expression in the Message, done you the least Injustice.

October 8, 1756.

Hor.^o Sharpe.

The House adjourns until the Morrow Morning at 9 of the Clock.

Saturday Morning, 9th October, 1756.

October 9

The House met according to Adjournment: All the Members appeared as Yesterday, except Capt. Smith and Col.^o Addison.

L. H. J.
Liber No. 48
October 9

An ingrossed Bill, entituled, A Supplementary Act to the Act, entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis, Printer

An ingrossed Bill, entituled, A Supplementary Act to an Act, entituled, An Act for granting a Supply of £40000 for his Majestys Service and Striking £34015.6.0 thereof in Bills of Credit and Raising a Fund for Sinking the Same.

And an ingrossed Bill, entituled, An Act for further Continuing an Act, entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores or Provisions of any kind Towards Supplying the French or their Allies.

Were sent to the Upper House by M.^r Gray and Capt. Ward.

p. 372 M.^r Matthew Tilghman brings in and delivers to M.^r Speaker an Address to his Excellency, which was Read, Approved, and Ordered to be ingrossed.

M.^r Carroll brings in and delivers to M.^r Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

It appears by the Report of the Committee of both Houses of Assembly, appointed to Inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit, established by Act of Assembly, that several of the County Clerks have omitted to return Lists of Wheel-Carriages and Ordinary-Licences; and that many of the Sheriffs have neglected to pay to the Commissioners of the Paper-Office the Monies due from them to the Public, as will appear to your Excellency from a Perusal of the annexed Papers; by which Means the Claims of the Public may be rendered precarious, and the Interest, which might arise on the Sums due, if they were regularly paid, is lost. We therefore beg Leave to request your Excellency, that you'll direct the Bonds of the Clerks and Sheriffs, who have failed in their Duty, to be forthwith put in Suit after the next Provincial Court, that what is due to the Public may be secured: And these Officers be informed, that greater Care is required, in the Discharge of their Duty, than they have hitherto applied to it.

Which was Read and Assented to, and Signed, by Order of the House, by the Honble Speaker.

Ordered, That M.^r Carroll and M.^r Sprigg do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint M.^r Speaker that the Governor signified

he would receive the Address in an Hour's Time in the Conference Chamber.

L. H. J.
Liber No. 48
October 9

Ordered, That M.^r Carroll, with Three more, do present the Address to his Excellency.

Philip Thomas, Esq; from the Upper House, delivers to M.^r Speaker the several Paper Bills of the ingrossed Bills that were Assented to this Session, which Paper Bills were severally thus indorsed; By the Upper House of Assembly, 8th October, 1756. The ingrossed Bill, whereof this is the Original, is Read and Assented to.

Signed p Order. J. Ross, Cl. Up. Ho.

M.^r Walter Dulany brings in and delivers to M.^r Speaker the following Report, viz.^t

Maryland ss.^t

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit, established by Act of Assembly, Octo 8th, 1756.

p. 373

Were Present,

The Honble Col. Richard Lee, of the Upper House;

M. ^r Walter Dulany,	} of the Lower House.
M. ^r Josiah Beall,	
M. ^r John Bracco,	
Major William Hynson,	
Capt. Daniel of St. Thomas Jenifer,	
Capt. John Gassaway,	
M. ^r Bayne Smallwood,	
M. ^r Henry Casson,	
M. ^r James John Mackall,	
M. ^r Thomas Reynolds,	
M. ^r George Fraser,	
Capt. Henry Travers,	
M. ^r John Hawkins, junior,	
M. ^r William Govane,	

Who make Choice of and Appoint the Honble Col. Richard Lee. Chairman and Richard Dorsey their Clerk and proceed to make the following Report.

Your Committee find, that there remains in the Iron Chest, N.^o 2. of the Sum of £4015.6 which was Signed, and not Circulated, and made Current by an Act of Assembly, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c. the Sum of £1188.7 the Commissioners having paid the Agents, in

L. H. J. Virtue of the aforesaid Act, the Sum off £2826.19 as appears by
 Liber No. 48 their Receipts.
 October 9

Your Committee have proceeded to count the Money, Printed in Pursuance of the aforesaid Act, and find the Sum to amount to £30,000 the several Species of Bills agreeable to the same Act.

Which is submitted to the Consideration of both Houses of Assembly.

Richard Lee,	Daniel of St. Thomas	James John Mackall,
Walter Dulany,	Jenifer,	Thomas Reynolds,
Josiah Beall,	John Gassaway,	George Fraser,
John Bracco,	Bayne Smallwood,	John Hawkins, junior,
William Hynson,	Henry Casson,	William Govane.

p. 374 Ordered, That M.^r Daniel Dulany and M.^r Hawkins do acquaint his Excellency, That no Public Business lies now before this House to Transact.

Col. Hammond, and Philip Thomas, Esq; from the Upper House, acquaint M.^r Speaker, That the Governor requires the Attendance of the Lower House immediately.

M.^r Speaker left the Chair, and with the Members of the Lower House attended his Excellency in the Upper House; and there Presented to him the following ingrossed Bills, viz.

No. 1. An ingrossed Bill, entituled, An Act for his Majesty's Service, and further Defence and security of this Province.

No. 2. An ingrossed Bill, entituled, An Act empowering the Justices of Somerset County to levy not exceeding 20,000 lbs. of Tobacco upon the taxable Inhabitants of said County, to be applied to the Purpose therein directed.

No. 3. An ingrossed Bill, entituled, An Act for the Relief of sundry of the Inhabitants of Charles County.

No. 4. An ingrossed Bill, entituled, A Supplementary Act to the Act, entituled, An Act for the speedy and effectual Publication of the Laws of the Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer.

No. 5. An ingrossed Bill, entituled, A Supplementary Act to an Act, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same.

No. 6. An ingrossed Bill, entituled, An Act for further Continuing an Act, entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards supplying the French, or their Allies.

All which the Governor passed into Laws in the usual Manner; and made the following Speech.

L. H. J.
Liber No. 48
October 9

Gentlemen of the Upper and Lower Houses of Assembly,

I have thought fit, with the Advice of his Lordship's Council of State, to Prorogue this Assembly to Thursday the Thirty-first Day of March next; you are therefore to take Notice, that you are Prorogued to that Day accordingly.

So endeth this Session of Assembly, this Ninth Day of October, in the Year 1756.

Test. M. Macnemara, Cl. Lo. Ho.

ACTS OF THE ASSEMBLY PASSED IN SEPTEMBER AND OCTOBER 1756

Liber H. S. At a Session of Assembly begun and held at the City of Annapolis
No. 1 the fourteenth Day of September in the Sixth year of the Dominion
p. 291 of the Right Honourable Frederick absolute Lord and Proprietary
of the Provinces of Maryland and Avalon Lord Baron of Balti-
more &^{ca} Annoq Doñ 1756 and Ending the Ninth Day of October
following.

The following Laws were Enacted and assented to by his Excel-
lency Horatio Sharpe Esquire Governor

No. 1 An Act for his Majesty's Service, and further Defence and Security
of this Province.

[Preamble.] Whereas the Earl of Loudoun, Commander in Chief of his
Majesty's Forces in North-America, by his Letter to his Excellency
Horatio Sharpe, Esq; of the Twentieth of August last, has signified,
That the State of his Majesty's Service requires that his Royal
American Regiment of Four Battalions, for which he has been
graciously pleased to send over to America a Number of Officers,
should be immediately compleated, and that it is his Royal Expecta-
tion that the Colonies will supply the Levies for the said Regiment:
And whereas by an Act of Assembly, made at the last Session, For
granting a Supply of Forty Thousand Pounds for his Majesty's
Service, and striking Thirty-four Thousand and Fifteen Pounds Six
Shillings thereof in Bills of Credit, and raising a Fund for sinking
the same, it is directed, That Twenty-five Thousand Pounds, Part
of the said Forty Thousand Pounds (including Commission to the
Agents by the said Act appointed) should be laid out and applied
in the carrying on any Expedition or Operation, which might be
undertaken by this Province for his Majesty's Service, in Conjun-
ction with the Colonies of Virginia, Pennsylvania, and North-
Carolina, or Virginia and Pennsylvania only, in case Carolina should
fail to join therein: And as such Expedition has not been undertaken,

Be it therefore Enacted, by the Right Honourable the Lord Pro-
prietary, by and with the Advice and Consent of his Lordship's
Governor, and the Upper and Lower Houses of Assembly, and the
Authority of the same, That the Sum of Five Thousand Pounds, in
Bills of Credit, out of the Twenty-five Thousand Pounds above-
mentioned, shall be laid out and applied for his Majesty's Service;
and that Part of the said Five Thousand Pounds, not exceeding
Three Thousand Pounds, shall be laid out and applied in defraying

[3000 l. ap-
propriated
for raising
300 Men for
the Royal
American
Regiment.]

the Expences of Enlisting and Victualling Three Hundred Men for the Royal American Regiment, including these already Enlisted by Orders from his Excellency Horatio Sharpe, Esq; and conveying them to such Place or Places, within this Province, as he shall judge most convenient for the Officers of the Regiment aforesaid to receive them at; and that the Residue thereof shall be laid out and applied by the said Agents in Purchasing a Quantity of Wheat, for the use of his Majesty's Forces, under the Command of the Earl of Loudoun, and Transporting the same to New-York, to be delivered there to such Person as shall be appointed by the said Earl of Loudoun to receive the same.

Liber H. S.
No. 1

[2000 l. for
Purchasing
Wheat.]

And to prevent any Abuses or Impositions by Public-House-Keepers, in whose House any Officers or Soldiers may be Quartered or Billeted, Be it Enacted, That no Public-House-Keeper, until the Tenth Day of April next, shall charge to, or receive from, any Officer under the Degree of a Captain, or Private Soldier, Quartered or Billeted in his or her House, more than the following Rates, viz. To a Commission Officer, under the Degree of a Captain, for his Diet of such good and wholesome Food as is usually provided by Ordinary-Keepers in this Province, with Small Beer or Cyder, the Sum of Eighteen Pence Current Money per Diem, and Lodging: And to a Private Soldier, for his Diet as aforesaid, with Small Beer, the Sum of Twelve Pence Current Money per Diem, and Lodging.

p. 292

[Pay for
Billeted
Soldiers.]

And whereas every Precaution hitherto taken, to protect the Frontier Inhabitants of this Province, against the Incursions of the Indians, has proved ineffectual; and it is generally thought that a large Bounty for Indian Scalps or Prisoners would greatly conduce to their Safety, by encouraging Parties of active Men not only to go in Quest of them on our Borders, but even to Attack and Annoy them in their own Settlements: And it is necessary for their better Security and Protection, that a greater Number of Men be constantly employed in Ranging on the Frontiers than have been hitherto employed in that Service, and that for this Purpose Three Hundred Men (Officers included) be continued on Foot until the Tenth Day of April next, and that the Two Hundred Men (Officers included) raised in Virtue of the aforesaid recited Act, are thereby directed to be disbanded on the Tenth Day of February next, Be it therefore Enacted, That out of the aforesaid Sum of Twenty-five Thousand Pounds, the further Sum of Three Thousand Pounds, and such Part of the One Thousand Pounds by the said Act appropriated to the Payment for Indian Prisoners or Scalps as remains unapplied, shall be applied to the Payment for Indian Scalps or Prisoners, in the Manner herein after mentioned, that is to say, For every Scalp of an Indian Enemy (being the Skin of the Crown of the Head), and for every live Indian Enemy, which any Inhabitant of this Province, not being in the Pay of this Province as a Soldier, or Indian in

[Allowance
of 50 l. for
each Scalp,
&c.]

Liber H. S. Friendship and Alliance with his Majesty's Subjects, shall produce
 No. 1 to any Magistrate of this Province, and for every such Scalp taken
 from any Indian Enemy killed within this Province, and every
 Indian Enemy taken alive within the same by any Person who shall
 be a Resident of any other Province, and shall be produced to a
 Magistrate as aforesaid, such Magistrate (after burning or destroy-
 ing such Scalp) shall immediately give such Person or Indian Friend
 a Certificate under his Hand, which Certificate being produced to
 the Agents appointed by the aforesaid recited Act, such Agents shall
 immediately pay to the Person producing the same, the Sum of
 Fifty Pounds Current Money, and the Receipt of such Person or
 Indian on such Certificate shall, for such Sum, be a sufficient Voucher
 for the said Agents Payment of the said Sum. And whenever any
 Person or Friend Indian shall produce any such Indian Enemy to any
 Magistrate, such Magistrate shall, by such Person or Friend Indian,
 which Assistance of such other Person or Persons as by Warrant
 p. 293 under his Hand he shall order and direct, send such Indian Enemy
 to the Sheriff of the respective County, who shall receive into his
 Goal, and safe keep, such Indian Enemy at the Public Expence of
 this Province 'til legally discharged. Provided always, and be it
 Enacted, That every Person, other than an Inhabitant of this Prov-
 ince or Friend Indian, who shall produce a Scalp or Indian Prisoner
 to any Magistrate, shall, before he receives a Certificate for the same,
 make Oath before the said Magistrate, or give such other Evidence
 as shall satisfy such Magistrate, that such Indian Prisoner was taken,
 or such Scalp taken from an Indian Enemy killed, within this
 Province.

[Scalps to be
 proved by
 Oath.]

And be it Enacted, That such Part of an Act, entituled, An Act
 for granting a Supply of Forty Thousand Pounds for his Majesty's
 Service, and striking Thirty-four Thousand and Fifteen Pounds
 Six Shillings thereof in Bills of Credit, and raising a Fund for
 sinking the same, as relates to the Payment of Ten Pounds for every
 Indian Scalp or Indian Prisoner by the Agents therein named, shall
 be, and is hereby utterly Repealed, and made Void, except as herein
 after is excepted.

[Part of
 an Act
 Repealed.]

And be it further Enacted, That a Sum of Money, Part of the said
 Twenty-five Thousand Pounds, not exceeding the Sum of Two
 Thousand Pounds Current Money, be forthwith applied in the Rais-
 ing, Cloathing, Supporting, Transporting, and Conveying, a Num-
 ber of Men, not exceeding One Hundred Men (Officers included) to
 be added to the Two Hundred Men raised in Virtue of the aforesaid
 recited Act; and that the same Bounty Money shall or may be paid
 in Raising the said additional Number of One Hundred Men; and
 the said One Hundred Men, when raised, shall be incorporated with
 the aforesaid Two Hundred Men, and continued on Foot until the
 Tenth Day of April next, and until the said Time shall receive the

[2000 l.
 applied for
 raising &c.
 100 addi-
 tional Men
 for the
 Garrison.]

same Pay and Subsistence, and be subject to the same Regulations, as are provided by the aforesaid recited Act for supporting and keeping up the aforesaid Two Hundred Men, raised as aforesaid. And the Commanding Officer of the Garrison aforesaid, is hereby strictly enjoined, required, and directed, constantly to keep out and employ at least One Third Part of the aforesaid Three Hundred Men, incorporated as aforesaid, as Rangers, for the Protection of the Frontier Inhabitants, as near the Settlements of the said Inhabitants as the Nature of the Service will admit: And any Person or Persons belonging to the said Company of One Hundred Men, so to be added, shall receive, for every Indian Scalp or Prisoner which he or they shall produce as aforesaid, the Sum of Thirty Pounds Current Money.

Liber H. S.
No. 1

And be it further Enacted by the Authority aforesaid, That in case the aforesaid Two Hundred Men, or any of them, raised in Virtue of the aforesaid recited Act, shall voluntarily enter into a new Contract with their respective Commanding Officers, to continue in the Service of this Province, from the Tenth Day of February next until the Tenth Day of next April, they shall be supported, paid, and subsisted, in the same Manner as they have been for the like Time, according to the Directions of the aforesaid recited Act: And that a Sum not exceeding One Thousand Four Hundred Pounds, out of the aforesaid Twenty-five Thousand Pounds, be applied to their Payment and Subsistence, from the Tenth Day of next February to the Tenth Day of April next; and from the Time they shall enter into such Contract as aforesaid, they shall be entitled to Thirty Pounds Current Money for every Indian Scalp or Prisoner they shall produce in the Manner before directed. And from the said Tenth Day of February to the Tenth Day of April next, shall be subject to the same Regulations as are provided by the said recited Act, during the Term for which they were Enlisted under the said Act. Provided always, That the said Two Hundred Men, or any of them, raised as aforesaid in Virtue of the said recited Act, shall receive no Reward for any Indian Scalp or Prisoner, except the Sum of Ten Pounds, in Virtue of the before recited Act, taken before the Tenth Day of next February, unless they enter into such Contract as aforesaid, to serve for the Term aforesaid, and from the Time only that they shall enter into such Contract.

[The 200
Men, form-
erly raised,
continued
on pay.]

p. 294

And be it Enacted, That in case the aforesaid Two Hundred Men, raised as aforesaid, in Virtue of the said recited Act, shall neglect to enter into such Contract as aforesaid, and shall be disbanded according to the Directions of the aforesaid recited Act, then so many able-bodied Men, as shall voluntarily offer themselves, shall be Enlisted, as shall compleat the Number in the whole to Three Hundred Men, Officers included, to serve 'til the Tenth Day of next April, and the same Bounty shall be paid and given to each of such able-bodied

[In case the
200 Men
refuse, others
to be raised,
to compleat
the Number
of 300.]

Liber H. S. Men as shall Enlist to compleat the said Number of Three Hundred
No. 1 Men as aforesaid, as is herein before directed to be paid and given
to each of the aforesaid additional Number of One Hundred Men,
directed to be raised in Virtue of this Act.

[The Num- And be it Enacted by the Authority aforesaid, That the aforesaid
ber of 300 additional Number of One Hundred Men (Officers included), which
may be shall or may be raised in Virtue of this Act, and such able-bodied
further Men as shall or may be Enlisted after the Tenth Day of next Febru-
continued.] ary, to compleat the Number of Three Hundred Men as aforesaid,
shall be kept up and continued on Foot for Six Months from and
after the Tenth Day of next April, if the General Assembly of this
Province shall order and direct the same.

[2400 l. ap- And be it further Enacted, That a Sum of Money, not exceeding
plied towards Two Thousand Four Hundred Pounds, out of the said Sum of
finishing Twenty-five Thousand Pounds, be applied towards Compleating the
the Fort.] Fort, now Erecting on the Frontier, called Fort-Frederick, and for
the Payment and Subsistence of the Men already raised to Garrison
the said Fort.

[Muster- And whereas it has been thought necessary by his Excellency, to
Rolls to be order a Detachment of the Militia to the Frontier, for the Protection
kept, and of the Inhabitants thereof; and the Pressing of Provisions for the
delivered said Detachment, may be greatly prejudicial to the People in those
on Oath.] Parts; Be it therefore Enacted, That the Commanding Officer of each
Company or Party, ordered out on such Detachment, shall deliver
to the said Agents compleat Muster-Rools or Lists upon Oath, con-
taining the Names of the Men belonging to the said Company or
p. 295 Party, the Time when they entered on Duty, and how many Days
they continued thereon, and shall also inform the said Agents in what
Manner and by whom they were supplied with Provisions, during
the Time of Service; and the said Agents are hereby impowered, on
Receipt of such Muster-Rolls or Lists, and such Information, imme-
diately to issue their Order on the said Commissioners or Trustees
for such Sum of Money as shall be sufficient to pay for such Provi-
sions, so as not to exceed the Sum of Nine Pence Current Money per
Day, for Provisions for each Man, for one Month's Service, and
shall apply the same, at the Rate aforesaid, in Discharge of the
Accounts of such Persons as have and shall supply the aforesaid
Companies or Parties with Provisions for the Time aforesaid.

[3100 l. ap- And be it further Enacted, That the said Commissioners or Trus-
propriated tees for Emitting Bills of Credit, established by Act of Assembly,
for Pur shall pay, to the Order of the Agents aforesaid, a Sum of Money
chasing not exceeding the Sum of Three Thousand One Hundred Pounds
Arms, Current Money, out of the aforesaid Twenty-five Thousand Pounds,
&c.] which same Sum of Three Thousand One Hundred Pounds, shall
be by them, or the major Part of them, forthwith disposed of in
Purchasing Arms and Ammunition, in the Quantities following, to

wit, Three Thousand Pound Weight of Powder, Three Thousand Pound Weight of Bar Lead, One Thousand Stand of Arms, consisting of a Musket, Bayonet, Belt, and Cartouch-Box, one Set of Bullet-Moulds, and Ten Thousand best Oil Flints, for the maintaining a Magazine, for the better Defence of this Province. And that the said Arms and Ammunition shall be distributed by the Governor or Commander in Chief of this Province, for the Time being, in such Manner as he shall direct or appoint.

Liber H. S.
No. 1

And be it Enacted, That the said Agents shall keep clear and distinct Accounts of the several Sorts of Arms and Ammunition purchased by Virtue of this Act, which Accounts shall, when and as often as thereto required, be rendered to the General Assembly of this Province for their Inspection.

[Agents to
keep Ac-
counts of the
Arms, &c.]

And be it further Enacted, That the Armourer, for the Time being, shall, and is hereby required to keep full and just Accounts of such of the said Arms and Ammunition as shall be received by him into the Public Magazine, and to whom, by whose Order, and to what Use or Uses, the same shall be given out or distributed; and such Accounts, with Vouchers, lay before the General Assembly yearly, sworn to before one Provincial or County Magistrate.

[The Ar-
mourer to
keep exact
Accounts.]

And be it further Enacted, That the Agents appointed by the aforesaid recited Act, or their Successors, or any Two of them, by Order of his Excellency the Governor, for the Time being, in Writing, expressing for what Service, shall and may call for, demand and receive, from the Commissioners or Trustees aforesaid, the several and respective Sums of Money aforesaid, unless otherwise above directed, and the same lay out and apply to the respective Purposes aforesaid.

[Agents to
draw on the
Commis-
sioners.]

And be it also Enacted, That the Agents aforesaid shall, and they are hereby required and directed to keep fair, distinct, and regular Accounts of all such Sums of Money as they shall receive in Virtue of this Act, and to what Purpose or Service the same shall be applied, to be by them, upon Oath, at every Session, laid before the General Assembly of this Province. And the said Agents, for their Trouble in executing and performing their Duty, according to the Intent and Meaning of this Act, shall and may retain in their Hands a Commission of Three Pounds per Cent. on all such Sums of Money as they shall, in Virtue of this Act, receive and apply as aforesaid. And that the Bonds given by the Agents, in Virtue and according to the Directions of the aforesaid recited Act, shall stand as, and be deemed to be, a Security for their Performance of their Duty by this Act required; and that such Bonds shall or may be put in Suit, in case of any Failure of Duty in any of the Matters by this Act required, as such Bonds might be in case of Failure of Duty in any of the Matters directed to be done by them in Virtue of the aforesaid recited Act.

p. 296

[Agents to
keep fair
Accounts of
all Sums of
Money.]

[Their
Allowance.]

[Their
former
Bonds
liable.]

Liber H. S.
No. 1
[632 l. 2 s.
8 d. to re-
imburse the
Governor.]

And be it further Enacted, That the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly, shall pay to his Excellency Horatio Sharpe, Esq; the Sum of Six Hundred and Thirty Pounds Two Shillings and Eight Pence in Bills of Credit, out of the aforesaid Twenty-five Thousand Pounds, to reimburse him the Charge of subsisting and paying the Rangers employed last Spring on the Frontier of this Province.

[Commissioners to keep distinct Accounts.] And the Commissioners or Trustees aforesaid, are hereby directed to keep particular and distinct Accounts of all such Sums of Money as they shall pay in Virtue of this Act.

4th October 1756
Read and Assented to
by the lower house of
assembly
Signed p order
M Macnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Pro-
vince I will this be a Law
Hor.^o Sharpe

8th. October 1756
Read and assented to
by the Upper House of
assembly
Signed p order
J Ross Cl Up Ho.

The Great Seal
in Wax Appand.^t

No. 2 An Act empowering the Justices of Somerset County to levy not exceeding Twenty Thousand Pounds of Tobacco upon the taxable Inhabitants of said County, to be applied to the Purpose therein directed.

[Preamble.] Whereas the Ferry of Vienna, upon the River Nanticoke, is a very public and convenient Passage, and forasmuch as the Road or Causeway through Vienna Marsh in Somerset County is of great Length, and too Burthensome upon the Inhabitants of the said County adjacent thereto:

[20,000 lbs. of Tobacco to be levied in Somerset County.] Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful, and the Justices of the County Court of Somerset are hereby authorized, impowered, and required, at the next November Court to be held for that County, to levy on the taxable Inhabitants of the same County, a Quantity not exceeding Twenty Thousand Pounds of Tobacco, exclusive of the Sheriff's Salary of Five per Centum for collecting the same, to be paid in such Manner as other Public and County Levies are now paid and discharged, for the making and compleating a good, commodious, and convenient Road and Causeway through the said Vienna Marsh, from the last Land down to the River Nanticoke, opposite to Vienna-Town, in Dorchester County; the said Road or Causeway to have a good and sufficient Foundation of Wood, raised to an Heighth not to be overflowed by the Water from the said River, and of Twelve Feet wide at the least upon the Top, well sanded, with one or more turning Places thereon. And the said

[For making
a Causeway.]

Justices are by this Act also impowered and required, as soon as conveniently may be, to contract and agree with some proper Person or Persons for the undertaking and performing the Work, and to take a Bond from such Contractor or Undertaker, with good Security, in a sufficient Penalty, at the Discretion of the said Justices, payable unto the Right Honourable the Lord Proprietary, and conditioned for the well and sufficient making the said Road or Causeway, and compleating and finishing the said Work, in such Manner as herein before directed.

Liber H. S.
No. 1

And be it further Enacted, That when the said Road or Causeway shall be so made, compleated, and finished, as aforesaid, the Justices aforesaid are directed and required to appoint a proper Person Overseer of the same, with a sufficient Number of the Inhabitants next adjacent, under his Direction to keep, take care of, and by their own Labour maintain, support, and keep the said Road or Causeway in good Repair, in the same Manner that other Roads are or ought to be kept, without any further Tax upon the said County, under the like Pains and Penalties on such Overseer, and the People under him, for Neglect or Omission of their respective Duties, as directed and appointed by the Laws now in Force relating to other Public Roads or Highways; any Thing in this or any other Act to the contrary notwithstanding.

[Justices to
order the
same to be
kept in
Repair.]

And be it further Enacted by the Authority aforesaid, That an Act, intituled, An Act impowering the Justices of Somerset County to levy not exceeding Twenty Thousand Pounds of Tobacco upon the taxable Inhabitants of the said County, for the Use therein mentioned, made and passed at a Session of Assembly, begun and held at the City of Annapolis on Monday the Twenty-third Day of February, in the Fifth Year of the Dominion, &c. Anno Domini One Thousand Seven Hundred and Fifty-six, be, and is hereby utterly Repealed and made Void.

[An Act
of 1756,
Repealed.]

8th Oct.^r 1756
Read and assented to
by the Lower house of
assembly

Signed p order
M Macnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
(Hor.^o Sharpe

8 October 1756
Read and assented to
by the upper house of
assembly

Signed p Order
J Ross Cl Up Ho.

The Great Seal
in Wax append.^t

No. 3 An Act for the Relief of sundry of the Inhabitants of Charles County.

Whereas by a most extraordinary Hurricane, happening on the Twentieth Day of June last, Piles's Warehouse in Charles County, then having a considerable Quantity of Inspected Tobacco therein, was blown down, by which said Accident the said Tobacco, or Part thereof, hath been much damaged, and that it would prove a great

p. 298

[Preamble.]

Liber H. S. Hardship should such accidental Damage and Loss fall on the In-
 No. 1 spectors, or Owner of the said Warehouse:

[Loss of Tobacco damaged at Piles's Warehouse, to be made good by a Levy.] Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Inspectors of the said Warehouse do deliver, upon Oath, an Account of the Tobacco so damaged as aforesaid to the Justices of the next County Court, to be held for the said County, and a List Containing the Names of the several Persons whose Tobacco hath been damaged as aforesaid, and the exact Quantity of Tobacco damaged as aforesaid, belonging to each Person, mentioned in such List; and the said Justices shall, and are hereby directed and impowered, at the next November Court, to be held for the said County, to assess and levy a Quantity of Tobacco on the taxable Inhabitants thereof, to the Amount of the Quantity of Tobacco which shall appear to them to be damaged as aforesaid, together with the Sheriff's Salary for collecting the same; out of which, the respective Proprietors of the Tobacco damaged as aforesaid, shall be paid their several Claims by Order or Orders drawn by the said Justices on the Sheriff of the said County.

[Failure in Election of Inspectors, remedied.] And whereas the last Election of Inspectors for Piles's Warehouse, in Charles County aforesaid, was not made pursuant to the Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, whereby the said Inspectors are not duly qualified to act as such; and the Time of Election of Inspectors, according to the said Act, is elapsed: Be it therefore Enacted by the Authority aforesaid, That the Vestrymen and Church-Wardens of Trinity Parish, in the County aforesaid, wherein the Warehouse aforesaid hath been Erected and Established in Virtue of the said recited Act, do meet together at the Church of the said Parish, between the Twentieth and Twenty-fifth Day of October, in the Year of our Lord One Thousand Seven Hundred and Fifty-six, and proceed to nominate and recommend to the Governor and Commander in Chief of this Province, for the Time being, Four sufficient Planters, well skilled in Tobacco, for the Execution of the Office of Inspectors, at the Warehouse aforesaid.

[Nominations to be return'd to the Governor, &c.] And be it Enacted, That the Vestrymen and Church-Wardens aforesaid, do forthwith transmit a Certificate of such Nomination and Recommendation to the Sheriff of the said County, who shall forthwith transmit the same to the Clerk of the Council, for the Time being, to be by him immediately laid before the Governor or Commander in Chief, for the Time being; out of which said Four Persons to be nominated and recommended as aforesaid, the Governor or Commander in Chief shall or may appoint, by Warrant under his Hand, Two Persons, to execute the Office of Inspectors at the

Warehouse aforesaid. And the Persons who shall or may be appointed Inspectors as aforesaid, shall have as full Power and Authority, and be liable to the same Duties, Penalties, and Regulations, in every Respect whatsoever, as if they had been duly nominated and recommended to the Governor and Commander in Chief, and by him appointed according to the Directions, and in Pursuance of the aforesaid recited Act.

Liber H. S.
No. 1

8th Oct.^r 1756
Read and assented to
by the Lower House of
Assembly.

Signed p order
MMacnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
Proprietary of this prov-
ince I will this be a Law.
Hor.^o Sharpe

8th October 1756
Read and assented to
by the upper house of
Assembly

Signed p order
J Ross Cl Up Ho

The Great Seal
in Wax Append.^t

No. 4 A Supplementary Act to the Act, entituled, An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer.

Whereas the Laws, made at the last Session of Assembly, have not been delivered to the Clerks of some of the County Courts within the Time directed by the Act of Assembly, entituled, An Act for the speedy and effectual Publications of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer; and the Laws, Votes and Proceedings of this present Session happening so soon after the last, cannot be Printed, Stitched, Bound and Delivered, within the Time limited by the said recited Act, whereby the Sheriffs may not pay to the said Jonas Green the Money therein directed to be levied, collected, and paid to him, for the Printing, Stitching, Binding, and Delivering the Laws, Votes and Proceedings, or any Part thereof:

[Preamble.]

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful for the Sheriffs of the several Counties respectively, and they are hereby required, to pay to the said Jonas Green, or his Order, the respective Sums of Money by the said Act directed to be assessed, collected, and paid to the said Jonas Green, in the same Manner as if the Laws aforesaid, of the last Session, had been delivered according to the Directions of the said recited Act, and the Laws, Votes and Proceedings of this present Session were Printed, Stitched, Bound and Delivered, according to the Directions, and within the Time limited by the said recited Act; any Thing in the said Act to the contrary

[Sheriffs
directed to
pay the
Printer.]

p. 300

Liber H. S. thereof notwithstanding. Provided, That the said Jonas Green shall
 No. 1 Print, Stitch, and Bind the Laws of this present Session, and the
 [Laws, &c. Votes and Proceedings thereof, in the same Manner as is directed
 to be printed by the aforesaid recited Act, and deliver them to the Persons, by the
 and delivered the said Act directed, on or before the Tenth Day of April next.
 by the 10th
 of April.]

And whereas the said Jonas Green hath, in Pursuance of the said recited Act, been employed by the Commissioners or Trustees, for Emitting the Bills of Credit, established by Act of Assembly, to Print and Stamp the Blank Bills therein mentioned, and hath accordingly done the same, and is thereby entitled to the Allowance, by the said recited Act directed to be made, for the Printing and Stamping the same:

Be it therefore Enacted, That upon the Orders of the said Jonas Green, in Writing, directing the several Sheriffs to pay to the said Commissioners or Trustees the several and respective Sums of Money by the said Act directed to be allowed and assessed in the respective County Levies, for the Printing and Stamping the Blank Bills aforesaid, which same Sums of Money shall be by the said Sheriffs paid accordingly, the same Commissioners or Trustees, shall pay to the said Jonas Green the Sum of Two Hundred Pounds Current Money, out of the Public Monies now in their Office, or which shall next come therein, unapplied by any former Act, for his the said Jonas Green's Printing and Stamping the Blank Bills aforesaid. And the Commissioners or Trustees aforesaid, shall keep a fair and distinct Account of such Payment to the said Jonas Green, and of what they shall receive for the Use of the Public, in Virtue of the Orders aforesaid, and this Act.

And be it also Enacted, That there shall be allowed to the said Jonas Green, for his extraordinary Expence, Care and Diligence, in the Printing, Stamping, and Binding, the said Bills, the several and respective Sums of Current Money following, to wit: In Baltimore County, Five Pounds Fifteen Shillings: In Anne-Arundel County, Four Pounds Fifteen Shillings: In Charles County, Four Pounds Seven Shillings and Six Pence: In Prince-George's County, Four Pounds Six Shillings and Three Pence: In Frederick County, Three Pounds Sixteen Shillings and Three Pence: In Queen-Anne's County, Three Pounds Fifteen Shillings: In St. Mary's County, Three Pounds Ten Shillings: In Dorchester County, Three Pounds Seven Shillings and Six Pence: In Kent County, Three Pounds Six Shillings and Three Pence: In Talbot County, Two Pounds Seventeen Shillings and Six Pence: In Somerset County, Two Pounds Sixteen Shillings and Three Pence: In Worcester County, Two Pounds Fifteen Shillings: In Cæcil County, Two Pounds Twelve Shillings and Six Pence: And in Calvert County, Two Pounds: Which said respective last aforesaid Sums of Money, the

[The Commissioners to pay the Printer 200 l. for printing, &c. the Blank Bills, upon his delivery of them Orders, &c.]

[A further Allowance to the Printer, for his extraordinary Care, &c. in printing the Blank Bills, &c.]

Justices of the several County Courts, within this Province, are hereby impowered and directed to allow and assess in their next respective County Levy, together with the Sheriff's Salary of Five Pounds per Cent. for collecting the same; and the said several last aforesaid Sums of Money, so to be allowed and assessed, as aforesaid, shall be collected by the Sheriff of each repsective County, and by them paid to the said Jonas Green, or his Order, on or before the Twentieth Day of June next, free from any Abatement or Deduction whatever.

Liber H. S.
No. 1

8th Oct.^r 1756
Read and Assented to
by the Lower house of
assembly.
Signed p Order
MMacnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
proprietary of this prov-
ince I will this be a Law
Hor.^o Sharpe

8 October 1756
Read and assented to
by the upper house of
Assembly
Signed p order
JRoss Cl Up Ho.

The Great Seal
in Wax Append.^t

No. 5 A Supplementary Act to an Act, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same.

Whereas the abovementioned Act, in sundry Parts of the Province, was not published timely enough for the People to make due Entry of the Liquors in their Possession on or before the Twentieth Day of June, as the said Act directs, By Means whereof sundry well-meaning Persons have become liable to the Penalty inflicted by the said Act, for consuming any Rum, Wine, Brandy, or other Spirits, after the Twentieth Day of June last, without having made Entry thereof as aforesaid:

[Preamble.]

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Persons who have omitted to enter their several Quantities of Liquors as aforesaid, and have since consumed any Part thereof, shall, and are hereby declared to be exempt, acquit, and discharged, from the Penalties and Forfeitures by the said recited Act imposed, for consuming any of the Liquors aforesaid, without first making Entry as aforesaid.

[Persons
who omitted
to enter their
Liquors by
the 20th of
June last,
are exempted
from the
Penalties,
&c.]

Provided always, and be it Enacted, That every such Person shall be, and is hereby obliged and directed, on or before the First Day of December next, to make Entry, in the same Manner as by the above recited Act is directed, of all such Liquors as were in his Possession on the said Twentieth Day of June, and make Payment of the Duties thereon, arising in Virtue of the said Act, to the respective Collector, for such Part thereof as, at the Time of making such Entry, shall be consumed. And if any such Person shall neglect or omit to enter such Liquors on or before the said First Day of December,

[But are to
make Entry
by the 1st of
December of
all Liquors
which were
in their
Possession
on the 20th
of June
last, &c.]
p. 302

Liber H. S. No. 1
[Penalty on neglecting to make Entry.]

then, and in such case, such Person shall stand and be liable to the Penalty by the said recited Act imposed, for consuming any of the Liquors aforesaid after the said Twentieth Day of June, without making Entry as aforesaid, in the same Manner as if this Act had not been made. And the Collectors of the several and respective Counties are hereby impowered and directed to receive from all and every such Person, the several Duties by the said recited Act imposed on all such Liquors so entered, and shall account for and pay the same according to the Directions of the said Act.

[Collectors required to receive the Duties, &c.]

And whereas the Rectors, Vestrymen, Church-wardens, and Registers of sundry Parishes within this Province, through Sickness, or Ignorance of the abovementioned Law, have failed to meet at their respective Parish Churches, at the Time by the above Law appointed to make Lists of the Batchelors within their respective Parishes, whereby the Lists aforesaid have not been delivered to the Collectors and Sheriffs of their respective Counties, nor the Tax imposed by the said Law on the Batchelors, in their Parishes, paid or levied at the Time by the said Law directed:

Be it therefore Enacted, That the Rectors Vestrymen, and Church-wardens, who have failed as aforesaid, shall, and are hereby declared to be exempt, acquit, and discharged, from the Penalties and Forfeitures by the said Law imposed and laid on the Neglects and Omissions aforesaid.

Provided always, and be it Enacted, That they and every of them shall, and are hereby impowered, under the Penalties as the said Act imposed, to meet on or before the Tenth Day of November next at their respective Parish Churches, and make Lists of all such Persons who were Batchelors in their respective Parishes on the second Tuesday in July last, and transmit and deliver Copies of the same to the Collectors and Sheriffs of their respective Counties in Manner as by the said Act is directed. And the said Collectors are hereby authorized and required to demand and receive from every Person, being a Batchelor on the said second Tuesday in July last, the Tax on the said Batchelors imposed, and to levy the same, from every Batchelor refusing Payment, in the Manner by the said Law directed and appointed.

p. 303

[Collectors to pay the said Tax to the Commissioners by the 25th of March, next.]

And be it further Enacted, That every Collector shall, and is hereby obliged to render Account of and pay to the Commissioners by the above Act appointed to receive the same, all such Sums of Money which they shall receive on Account of the Taxes on Batchelors by the said Act imposed, by the Twenty-fifth Day of March, which shall be in the Year Seventeen Hundred and Fifty-seven, retaining in their Hands respectively, the Salary of Five Pounds per Cent. And that Bonds for the Performance of their Duties as Collectors of the

Duties on Liquors, shall be liable respectively for any Breaches of their Duties as to the Taxes on Batchelors.

8th Octo.^r 1756
Read and Assented to
by the Lower house of
assembly

Signed p Order
MMacnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
Proprietary of this prov-
ince I will this be a Law
Hor.^o Sharpe

8 October 1756
Read and assented to
by the Upper house of
Assembly

Signed p Order
JRoss Cl Up Ho.

Liber H. S.
No. 1
[Their
former
Bonds
liable.]

The Great Seal
in Wax append.^t

No. 6 An Act for further continuing an Act, entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards supplying the French, or their Allies.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act to prevent the Exportation or Carrying out of this Province, Ammunition, Warlike Stores, or Provisions of any Kind, towards supplying the French, or their Allies, made at a Session of Assembly begun and held at the City of Annapolis the Twenty-third Day of June, One Thousand Seven Hundred and Fifty-five, be, and is hereby continued in full Force, from and after the First Day of March next, until the Tenth Day of May, Seventeen Hundred and Fifty-seven.

[An Act
continued.]

8th Oct.^r 1756
Read and assented to
by the Lower house of
assembly

Signed p order
MMacnemara Cl lo ho.

On behalf of the Right
Honourable the Lord
Proprietary of this prov-
ince I will this be a Law
Hor.^o Sharpe

8th Octo.^r 1756
Read and assented to
by the upper house of
assembly

signed p order
JRoss Cl Up Ho

The Great Seal
in Wax append.^t

[The usual certification by the Clerk of the Provincial Court and of the Secretary's Office, that he had compared the laws of this session as they are inscribed in Liber H. S. No. 1 with the original acts that passed the Great Seal, is for some unknown reason not appended.]

APPENDIX

APPENDIX

I

PETITION FOR AN ACT OF THE ASSEMBLY TO REPAIR ST. PAUL'S
PARISH CHURCH IN BALTIMORE COUNTY (see page 7).

MSS
Archives
of Md.
Black
Book 10
No. 42

To his Excellency Horatio Sharpe Esq.^r Governor of
Maryland, & to the Honourable the upper and lower House
of Assembly

The Petition of the rector, Vestrymen, Church wardens & sundry
others the Parishners of S.^t Pauls Parish in Baltimore County
humbly sheweth:

That whereas the Parish Church is out of Repair & two small for
the Congregation & the Parish verry much in Debt, your Petitioners
Pray an Act of Assembly to assess the sum of four hundred Pounds
Currency for the Purposes aforesaid; & your Petitioners as in duty
bound Pray

Thos. ^s Chase	Rector
T. Stansbury	
John Frosher	Vestry
Wm. Wells	
John Wooden	
A. Eaglestone	
John Stinchcomb	men


M.^{bry} Helms
Moses Wersler
Mayberry Helms Jun^r
W.^m Partridge
George Hartman

James Cary
John Ensor Jun^r
Cha^s Ridgely Jun.^r
N.[?]Ridgely
Alexand^r Lawson
W^m: Rogers
Valentine Larsch
Samuel Hooks
Jann Stehler
Mickel Denniger
Henry Hofsteter
Johannes ———
Casper Walter
Henrich Mayer[?]
Conrat ———

William Wooden
W.^m Pontany
Jab Evans
Robert Wilmott
Nicho.^s Rogers
Jn^o Moale
And.^w Buchanon
Jn.^o Stevenson
N. Ruxton Gay
——— Coulter[?]
W Barney

MSS
Archives
of Md.
Black
Book 10
No. 42

John Moore
John Morgan
Tho.^s Sollers
Elisha Hall
Ew.^d Lewis J^r
Edw.^d Stevenson Ju^r
Anthoney Gott
W.^m Askew
Ja.^s Fendall
Gilbert Crockett
John Driver
John Conaway
Robuck Lynch
Edmund Talbott
William Sargeant Kittridge
Henry Green
Jos Merryman
William Nicholdson
J Bonfield
George Pickett

Samuell ———
Henry Crown
Edward Lewis
———— Paul [or Saul]
Johannes Allgeyer [?]
Casper Grasmick
Christo Settlemier
Daniel ———
Christopher Settelmer
Niclas ———
Georg Michael Garttmay
Henrich Grintzmann
Jacob L ———
John Reddell
W^m Burk
Solomon Wooden
his
Edw.^d  Lewis
mark

By the Upper House of
Ass.^y 3 March 1755
Read and Rejected
signed p [order]
J Ross ClUpHo
Ent

II

MSS
Archives
of Md.
Black
Book 10
No. 43

PETITION OF THE FREEHOLDERS AND INHABITANTS OF CALVERT
COUNTY APPROVING THE ADDRESS OF THE LOWER HOUSE TO
THE GOVERNOR DATED JULY 3, 1755, REQUESTING THE EN-
FORCEMENT IN MARYLAND OF THE PENAL LAWS OF ENGLAND
AGAINST THE ROMAN CATHOLICS (see page 159).

To y.^e Honourable y.^e Speaker & Members of y.^e House
of Delegates of the Province of Maryland.

The Petition of y.^e Freeholders & Inhabitants of Calvert County.
Humbly sheweth

That the Lords Proprietary of this Province have for many years
past grievously oppress'd y.^e Inhabitants of y.^e same, not only by
siesing on & applying to their own private Uses, divers considerable
Sums of Mony arising from Ordinary Licences, Fines & Forfeitures
&c. Which several Sums ought to be applied towards defraying y.^e
charges of Government & y.^e Ease, Defence & Security of y.^e Inhabi-
tants thereof, But also their said Lordships Council of State, have

rejected a Bill, pass'd by your Honourable House for granting to his Majesty a considerable Sum of Mony to be applied towards raising & maintaining a number of men to defend this Country against y^e brutal French, & their Allies y^e savage Indians who were then committing the most shocking Barbarities & uncommon Cruelties imaginable on our fellow-Creatures and Countrymen, who cou'd have no Consolation in their Distress, but that of seeing Hundreds in their own unhappy & lamentable Circumstances; This gives great Concern, & more when we reflect on the great Dangers & mischiefs y.^t may speedily arise within this Government, by y.^e Increase of Popish Resusants among us, & considering y.^e great Resort of Jesuits to this Country who are daily endeavouring to seduce His Majestys good Subjects from their Religion, & Allegiance, And how much His Majestys Protestant Subjects are disheartened to see Priests & Jesuits accumulating great Wealth & enjoying some of y.^e best Estates in y.^e Province, contrary to Law & good Government: And also to see men highly to be suspected of Popery & who were educated at St Omers & brought up in y.^t Religion, admitted into Employments of great Trust & profit. We cannot omit on this occasion to return you our sincere Thanks & to express our Approbation of your address to His Excellency the Governour dated the 6th July 1755 [July 3, 1755] & printed in the Maryland Gazette, requesting of His Excellency y.^e Execution of y.^e Penal Laws of England against the Papists of this Province; and though we have y.^e Mortification to find that your said address had not the desired Effect, yet we entreat you not to be discouraged from Farther attempting our Relief & Security by transmitting to his most sacred Majesty a true State of our present Situation & Grievances & imploring His Interposition and Protection. And we do hereby engage to support your Undertaking to y.^e utmost of our Abilities, & with our Lives & Fortunes to maintain & defend His Majesties Rights in this Dominion.

MSS
Archives
of Md.
Black
Book 10
No. 43

[Indorsed] 22.^d May 1756

[No signatures are appended to this petition.]

III

PETITIONS OF FREEHOLDERS AND FREEMEN OF ALL SAINTS PARISH IN FREDERICK COUNTY FOR ITS DIVISION INTO TWO PARISHES (see page 235).

MSS
Archives
of Md.
Black
Book 10
No. 46

There are three of these petitions, each bearing a large number of signatures that were apparently circulated in different parts of All Saints Parish, which may be designated as (1), (2), and (3). All three petitions are practically identical as to their wording so the preamble of only the first one is given; the list of signatures alone being printed for petitions (2) and (3). A number of the names are

MSS
Archives
of Md.
Black
Book 10
No. 46

those of Germans. The signatures in German script of some of them are scarcely decipherable. In such cases the names are either omitted in whole or in part or are queried.

(Petition 1.)

To His Excellency Hor:^o Sharpe Esq.^r Governour of Maryland, And the Honour.^{ble} the Upper and Lower Houses of Assembly, of said Province now Convened.

The Petetion of the Freeholders and Freemen of Allsaints Parish in Frederick County humbly Sheweth—

That Whereas the afores.^d Parish, from its Vast Extent, and great Number of People residing therein, has rendered it Impracticable, for any one Clergyman, to discharge his Function in such a manner, as to Improve and Edify the People, so Amply and fully, as Christianity and the Nature of the thing requires. We are to Inform your Excellency and Hon.^{rs}, that the Thirty p poll of the said Parish, amounts at present to near Eighty Thousand pounds of Tobacco. And that the said Parish includes the whole County, Except a small part between Senecar and Rock-creek; which being abstracted from the other, the Parish Remains then above a hundred and fifty miles in length, besides its Extent every way, as it is now peopled at present. From this inconvenience, the Word of God, and Christian knowledge, is much Impeded and hindered. Numbers of the Parishioners cannot go to Church at all: and others, (who otherways being well-wishers to the Orthodox reformed Religion of the Church of England) have their Children Baptiz'^d, by dissenting Ministers and others again, joyn themselves in Worship with others Sectaries, as Quakers &c. Your Petetioners therefore pray your Excell:^{cy} and Hon^{rs}, to take our state and Circumstances into your most serious Consideration; and grant that an Act may Pass, for the Dividing the said Parish, which may be in force, immediately after the Death of the Rev.^d Sam.^l Hunter, our present Incumbent, that your Petetioners may have the free Exercise of the Word of God preached to us, and the Sacraments duly Administer'd to our Edification and Comfort. We pray for the Dividing line, to begin at the mouth of Manockacy, and to run up with the said Creek, 'til it Intersects the Pensilvanian Line. The lower part of which Division will be a compact Uniform Parish, and wo'd amount by the Number of Taxables at present, to upwards of Twenty Seven Thousand pounds of Tob:^o, which we pray may be a distinct Parish by another name. And your Petetioners as in duty bound will ever pray—

Alex.^r Pearre
Jon:^a Willson
Tho:^s Kirk

George Norris
John Jacobs
Phillip Pindell
William Saer

Jn.^o Rawlings
 John Veatch
 Charles Bussey[?]
 William Haies
 Joseph Harris
 James Veatch juner
 Beniaman Veatch
 Hendery Allison
 William Wilson
 Josieas Beens
 Jn.^o Tannehill
 Nathan Veatch
 Tho.^s Hynton Jun.^r
 Vachell Hinton
 Geo Lynton Jun.^r
 Michael Dowden
 John Hinton
 Stephen Hampton
 Thomas Hinton Sen.^r
 Thomas Leoshear
 Jam.^s Coffee
 Jacob Townshend A.B. Clk
 Rob.^t Constable
 Geo : Bussey

Garah Davis
 Jonathan Markland
 Wadsworth Wilson
 Jeremiah Veatch
 Tho.^s Howard
 Thomas Appleton
 Alex : Magruder
 William Mackay
 James Beall
 Eward Nicholls
 Gabril Hughs
 Rob.^t Mitchell
 Ezek : Goslen
 Charles Hayes
 Jeremiah Hayes
 James Veatch Sen.^r
 Daniel Veatch
 Ninnian Veatch
 Jn.^o Norris
 Thomas Veatch
 John Johnson
 Tho.^s Johnson Jun.^r
 Basil Hay

MSS
 Archives
 of Md.
 Black
 Book 10
 No. 46

Tho.^s Stewart
 Hugh Roby
 Edward Darnall
 Ephraim Davis
 Newton Chiswell
 John Harriss
 Tho.^s Birdwhistle
 Samuel Linton

(Petition 2.)

Ninian Beall Sen.^r
 Tho.^s Walton
 Joseph Beall Son of Ninian
 Nath.^{ll} Beall
 Timothy Whitehead
 Zephaniah [?] Wade
 Wm Breashar
 Edw.^d Busey
 Ar.^r Lee
 Gar.^t Fitchgerl
 Jn.^o Veatch

Edw.^d Wilson
 John Plummer
 Gilbert Crum
 Barnet Cole
 Thos.^s Plummer
 George Hinkle
 Jeremiah Plummer
 John Allison
 Isaac Ren [?]
 Abner Lewis
 Abraham Crum

MSS
Archives
of Md.
Black
Book 10
No. 46

Richard Beall
Edw.^d Wilson
Edw.^d Jones
Tho.^s Kirk Ju.^r
Philip Coffee
Jn.^o Armstrong
Jⁿ Essex
Jn.^o Maddan Jun.^r
W^m Nashon
George Clark
Jno.^o Greenup
Sam.¹ Casel
W.^m Beall
Wonly Bean
Philip Turner
Nicholas Rhoades
Samuel Plumer

Gisbert Crum
Henry Field
Zachariah Low
Jam.^s Soper
Nath Wichham
Danil Kenedy
Pool Wolf
Joseph Justice
George Truck
Sam¹ Reads
George Browne
Richard Simpson
Warfield Hall
William Williams
John Carmack
Curnelas Crom
Dennis Hensey

Nicho.^s Traspan
John Justice Jun.^r
W^m M^c donald
Stephen Richards Jun.^r
Andrew Young
George Spangle
Michel Null
Tho.^s Logsdon
Tho.^s Durbin
John Durbin
James Logue
John Fowber [?]
Samuel Durbin
Richard Wells
William Durbin
George Brown Jun.^r
John Willes
Daniel James
Joseph Write
George Becraft
Amos Write
Jacob Nichols
Edw.^d Bell
Jam.^s M^cDonald
John Justice Sen.^r
Archibald Campbell
George Hall

(Petition 3.)

MSS
Archives
of Md.
Black
Book 10
No. 46

Samuell Ellis	Will ^m Layton
Zach : ^a Ellis	James Layton
James Ellis	William Hickman
Daniel Steward	Stephen Hickman
Ja. ^s [?] Fyffe	Isaac Ettinge [?]
Tho. ^s Ely	Joshua ^a Hikman Ju. ^r
John Talbert Senr	James Gore
John Talbert Junr	James Rimmer
John Allison Jun. ^r	John Baxter
Garvin Hewitt [?]	Joseph Groves
Thomas Cour [?]	Charles Hopkins
Arthur Hickman	George Willson
Geo Jewell	James Mareen [Manin?] Gore
Rich. ^d Meyrick	Cheany Joyce
Griffit Meyrick	James Rigs Sener
John Walter	James Rigs Juner
Daniel Walter	Philip Bycurt [?]
Will ^m Gallford	James B— [?]
Joseph Lockerd	Tho. ^s Dawson
Henery Hickman	Robt Lamar
David Hickman	Charles Coats
Solomon Hickman	Richard Tayler
Jn. ^o Wilcoxon	Sylas Veatch
Isa : Baker	W ^m Norris
Jacob Baker	William Wheat Jun ^r
John Fletchall	Ro. ^{bt} Wilson
Charles Noll [?]	William S or L—
Ezek Hickman	Charles Watts
	John Laton
	Richard Kerby

IV

Md. Hist. GOVERNOR SHARPE'S ACCOUNTS FOR THE SUPPORT OF THE RANGING
 Soc. MSS PARTIES ON THE WESTERN FRONTIER FROM FEBRUARY UNTIL
 Portfolio 3 MAY 1756 (see pages 339, 348, 350, 377, 378, 414, 418,
 No. 20 616, 626, 627, 628).

The Province of Maryland to the Governor

1756	Dr
	Currency
	£ S d
To Cash paid Lieutenant Stoddert for his own & Party's Pay & Provisions from the 22 ^d of March to the 16 th May.....	62 = 0 = 7
To Cash paid Lieut. ^t Baker for his own & Party's Pay & Provisions from y ^e 9 th Feb. ^r to the 20 th May & Contingent Acco. ^t	218 = 19 = 5½
To Cash paid Lieut. ^t Shelby for his own & Party's Pay & Provisions from the 14 th March to the 20 th May.....	215 = 15 = 7½
To Cash paid Captain Dagworthy for his own & Company's Pay from the 10 th March to the 16 th May	194 = 13 = 5½
To Cash paid Major Prather for his own & Party's Pay from the 13 th March to the 21 st May & a Contingent Bill.....	248 = 19 = 6
To Cash paid Capt. Alex. ^r Beall for his own & Party's Pay from the 13 th of March to the 21 st May & Cont ^t Bill.....	152 = 17 = 4
To Cash paid Doctor Ross for victualing Major Prather's Capt Bealls & Capt. Dagworthy's Parties & a Contingent Acco. ^t	200 = 19 = 8½
To Cash paid M ^r Wolstenholme for 80 Blanketts for the Ranging Parties.....	41 = 3 = 7½
To Cash paid M ^r Dickson for Blanketts for Capt Bealls Party & for Sundries.....	27 = 2 = 4½
To Cash paid William Yeldell for Carting Ammuni ⁿ Blanketts	11 = 10 = 0
To Cash paid for apprehending Deserters....	4 = 1 = 0
To Cash paid for the Conveyence of Letters to Bladensburg & Frederick with Orders to the Officers of the ranging Parties.....	2 = 5 = 6
	£1380 = 8 = 2

Contra

By Cash paid His Excellency by the Commissioners of the Loan Office toward supporting Parties of Men on the Frontiers for the Protection of the Inhabitants.....

Cr
Currency

£ S d

750 = 0 = 0

Md. Hist.
Soc. MSS
Portfolio 3
No. 20

By Orders drawn on Mess.^{rs} Murdock Dick & Wolstenholme Agents for.....

630 = 13 = 8

Mem.^m These orders for £630-13-8 were not accepted but the money was p.^d by the Commissioner of the Loan Office by virtue of an Act of Assembly made in Oct.^r 1756. J. R.

[Indorsed, Account how the Money granted for the Support of ranging Parties in Feb.^y 1756 was expended

INDEX.

- Abercrombie, Major General, 591.
- Abjuration, see Oaths.
- Acadia, Acadians, xxvii, xxviii, 362.
- Accounts, Committee and Journal of, xxvi, xxviii, 33, 157, 259, 265, 267, 270, 271, 272, 284, 286, 327, 366, 376, 397, 398, 402, 404, 405, 409, 410, 413, 414, 424, 520, 544, 545, 594, 623, 626.
- Actions of Escape, see Escape.
- Acts of Assembly, general revision, 373. List of: Session of Feb. 22-Mar. 26, 1755, 106-117; Session of June 23-July 8, 1755, 197-215; Session of Feb. 23-May 22, 1756, 476-549; Session of Sept. 14-Oct. 9, 1756, 650-663. Transcribing, 265, 398, 403. See also Laws.
- Adair, Robert, 9, 30, 44, 63, 66, 77, 80, 82, 105, 109.
- Adams, Robert, 315.
- Addison, Anthony, 21, 25. John, 21, 25, 46, 53, 56, 58, 65, 67, 152, 154, 156, 160, 162, 229, 286, 318, 323, 327, 328, 329, 334, 338, 340, 343, 345, 347, 348, 351, 352, 354, 363, 365, 366, 371, 376, 396, 399, 413, 418, 422, 425, 426, 427, 430, 432, 433, 622, 624, 625, 626, 627, 630, 634, 638, 639, 640, 641, 645. Thomas, 20, 21.
- Adjutant, see Fords and Fortifications.
- Administratrix, salary, 199.
- Adultery, punishment of, xxviii, 263, 264, 267, 297, 381, 529. See also Fornication.
- Affirmation, see Oaths.
- Africa, 115, 207.
- Agents, xxiv, xxxii, 675; for H. M. Service, 487, 488, 489, 490, 565, 566, 586, 616, 622, 626, 627, 628, 629, 645, 647, 650, 651, 652, 654, 655. See also British Agents.
- Albany (N. Y.), xxix, 331, 593, 597.
- Albany Conference or Congress, viii, xiv, 51, 54, 56, 71.
- Alexander, William, 17, 20.
- Alexandria (Va.), 63, 143, 144, 613; Congress, xvi, 143.
- Alienation Fine, 76, 636. See also Fines and Forfeitures.
- Allegheny Mountains, 114, 205, 332.
- Allen, John, 41. William, 575.
- All Faiths Parish (St. Mary's Co.), Vestry and Churchwardens, 235.
- Allgeyer, Johannes, 668.
- All Hallow's Parish (Worcester Co.), xxviii, 234, 248, 255, 258, 296, 341, 346, 363, 364, 370, 375, 524, 525; Rector, Vestrymen, and Churchwardens, 234, 341, 346, 524, 525.
- Allison, Hendery, 671. John, 671. John, jr., 673.
- All Saints Parish (Frederick Co.), xxxv, 669, 670; Rector and Freeholders, xxxv, 235.
- Ambassadors of Six Nations, see Six Nations.
- American Dominions, 12, 70, 79.
- Ammunition, see Arms and Ammunition.
- Anchors, 33, 84, 113, 205.
- Annapolis, *passim*. Corporation of, 595. Couriers from Will's Creek, 130, 131, 151, 153, 156, 158, 171, 172, 173, 194, 369. Delegates, 46, 140, 299, 558, 588, 595, 607. Importation of French, Germans, and servants, 36, 81, 89, 91. Mayor, Recorder, and Aldermen, 595. Port of, xxx. Prison, 177. Public Printer, 287, 291, 292, 297, 381, 426, 538, 539, 540, 584, 585, 587, 642, 646, 648, 659. See also 16, 132, 334, 548, 612; State House.
- Annapolis-Royal (Port Royal) (Nova Scotia), 205.
- Anne, Queen, ix, xxxiii, xxxiv, 481, 636.
- Anne Arundel County, xi, xx, xxi, xxiv, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 63, 75, 76, 109, 127, 130, 131, 132, 134, 137, 138, 139, 146, 148, 149, 154, 156, 157, 158, 161, 165, 166, 168, 169, 195, 196, 197, 198, 208, 212, 213, 214, 249, 297, 320, 341, 434, 473, 519, 530, 531, 533, 538, 539, 541, 548, 573, 576, 582, 583, 660. Clerk, 234, 240, 241, 249, 548, 576. Delegates, 46, 140, 229, 299, 323, 557, 588, 604. Prison, 132, 133, 134, 136, 139, 158, 168, 196, 207, 273, 413, 530. Rectors, Vestrymen, and Churchwardens, 132. Sheriffs, 177, 207, 276, 300. See also Courts.
- Apothecaries, 468, 469.
- Appeal, Writ of, 326.
- Appleton, Thomas, 671.
- Arbuthnot, Captain, 337.
- Armour, see Arms and Ammunition.
- Armourer, xxv, 319, 334, 335, 417, 420, 421, 612, 613, 655.
- Arms and Ammunition, ix, xviii, xxv, xxix, xxxi, xxxiii, 31, 32, 33, 38, 44, 49, 50, 83, 84, 93, 97, 105, 112, 113, 114, 115, 133, 134, 136, 138, 139, 143, 147, 152, 156, 163, 164, 168, 188, 189, 192, 193, 194, 196, 204, 205, 206, 207, 223, 224, 225, 226, 282, 295, 296, 304, 305, 308, 309, 311, 312, 318, 319, 331, 334, 335, 336, 350, 394, 395, 400, 401, 414, 417, 420, 421, 435, 437, 438, 439, 448, 449, 452, 453, 454, 455, 456, 457, 458, 461, 462, 463, 464, 465, 469, 476, 488, 492, 585, 587, 592, 593, 594, 605, 606, 607, 608, 612, 613, 614, 617, 619, 620, 630, 631, 632, 635, 636, 637, 638, 644, 646, 648, 654, 655, 663, 674.
- Armstrong, Jr., 672.
- Army, xxix, 316, 493, 592. See also Soldiers.
- Arrest, 459, 461, 466, 532.
- Artificers, 464.
- Artillery, 143, 590. See also Arms and Ammunition.
- Askew, William, 668.
- Asquith, George, 25.
- Assembly, House of, 539. See also Lower House; Upper House.
- Assessments, see Public Assessments.
- Attachments, 345.
- Attorney General, xviii, xix, xxiv, xxx, 149, 159, 191, 359, 388, 578, 579, 580, 581, 582, 583, 595. See also Darnall, Henry.
- Attorneys at Law, 468, 476, 479, 531, 532, 565, 578, 579, 582. See also Lawyers.
- Audit, xv; Loan Office, xxxiv.
- Augusta, 331.
- Bachelors, census of, 662; tax on, xxii, xxxiii, 503, 504, 662. See also Tax, etc.
- Bail Bonds, 108, 522.
- Bailey, Henry, 18.
- Bail or Mainprize, 91, 442, 448, 449, 454.
- Baker, Lieutenant, xxi, 228, 314, 321, 322, 350, 674. Basil, 66. Henry, 30, 53, 55, 56, 58, 65, 74, 81, 82, 87, 93, 154, 160, 162, 172, 238, 241, 284, 309, 323, 324, 338, 342, 345, 347, 348, 351, 354, 362, 364, 365, 366, 371, 375, 376, 411, 413, 418, 422, 423, 425, 427, 431, 432, 433, 585, 644. Isa., 673. Isaac,

- 336, 616. Jacob, 673. Thomas, 621. William, 621.
- Baldwin, John, 23. Thomas, 22.
- Ball, see Arms and Ammunition.
- Ballard, Henry, 232.
- Baltimore, Lords, see Calvert.
- Baltimore County, xi, xvi, xix, xx, xxxi, xxxii, xxxv, 7, 18, 19, 20, 21, 22, 23, 24, 25, 26, 63, 66, 109, 134, 137, 139, 146, 149, 161, 165, 166, 168, 169, 196, 208, 212, 213, 214, 215, 365, 530, 531, 533, 538, 539, 541, 568, 571, 576, 616, 618, 622, 623, 624, 625, 637, 660, 667. Delegates, 46, 140, 221, 299, 300, 588. Justices, 63. Prison, 9, 63, 132, 133, 134, 136, 139, 159, 161, 168, 196, 207, 273, 530. Records, 9, 30. Sheriff, 9, 63, 207. See also Courts.
- Baltimore Town, xxvii, xxviii, 333, 620; militia, 336; volunteers, 335.
- Barbarians, 220, 303.
- Bar Lead, see Arms and Ammunition.
- Barley, 325, 327.
- Barney, W., 667. William, 19, 26.
- Bar of Lower House, see Lower House.
- Barons, Benjamin, 316.
- Barrett, Joseph, 21.
- Baxter, John, 673.
- Bayonets, see Arms and Ammunition.
- Beall (Beale, Bealle, Bell), Alexander, xxxii, 320, 350, 608, 609, 617, 674. Anne, 27. George, 23. James, 671. John, 18, 21. Joseph, son of Ninian, 671. Joshua, 619. Josiah (Joseph), 5, 13, 30, 46, 51, 53, 55, 56, 58, 65, 69, 74, 77, 81, 87, 93, 124, 125, 126, 142, 145, 154, 160, 172, 221, 230, 235, 294, 295, 299, 301, 309, 316, 323, 327, 328, 329, 330, 334, 338, 339, 343, 345, 347, 348, 351, 354, 355, 363, 365, 366, 369, 376, 396, 399, 403, 405, 412, 413, 418, 421, 422, 425, 427, 430, 432, 433, 439, 440, 555, 564, 577, 586, 588, 596, 597, 599, 602, 605, 611, 615, 618, 622, 624, 625, 627, 630, 634, 638, 639, 640, 641, 643, 647, 648. Nathaniel, 671. Ninian, 671. Richard, 672. Samuel, 57. Thomas, 583. William, 583, 672. See also Bell.
- Beall's Company, 608, 609. See also Soldiers.
- Bean, Wonly, 672.
- Bean Hill Church, see South River Church.
- Beans, 115.
- Beck, James, 25.
- Beckingham, William, 548.
- Becraft, George, 672.
- Beds and Bedding, 210, 609, 632.
- Beef, 85, 193.
- Beens, Josieas, 671.
- Beer, 112, 651. See also Drink.
- Bell, Edward, 672. George, 19. John, 273, 530, 531. Joseph, jr., 22. See also Beall.
- Bell (Annapolis), 132.
- Belt, Captain, 335. Colonel, 618. Joseph, xxxii, 19, 620. Joseph, jr., 568.
- Belts, 334, 458, 632, 655. See also Clothing.
- Belt's Company, 335. See also Soldiers.
- Benefit of Clergy, 483.
- Bennett, Richard, xiv, 10, 62.
- Bens Such, 16.
- Berisford, John, 530, 531.
- Bernard, Luke, 57, 58.
- Berry, Benjamin, 132, 133, 134, 136, 139, 158, 168, 196, 207, 208, 209, 210, 211, 212. Jeremiah, 27. John, 27.
- Berryford, John, 273.
- Bessenton, 197, 198.
- Bevan, Charles, 190, 359, 360, 388. Ruth, 388; see also Blanford.
- Billets, 598, 651.
- Billiard Tables, xvi, xxi, 147, 179, 180, 325, 505, 506.
- Bill of Exception, 583.
- Bills of Credit, xii, xiii, xv, xxiii, *et passim*; defaced, 439, 486, 487; printing, 484, 660. See also Paper Currency Office.
- Bills of Exchange, 198.
- Birdwhistle, Thomas, 671.
- Bishop of Rome, see Pope.
- Blackiston (Blackstone), Colonel, 357, 386.
- Black Wampum Belt, 315.
- Bladen, Thomas (Gov. of Md.), 357, 387.
- Bladensburgh, 85, 613, 619, 674.
- Bladensburgh Independents, 335. See also Soldiers.
- Blanford, Charles Bevan, 388. Ruth, 388, 389; see also Bevan.
- Blankets, 86, 350, 619, 626, 632, 674.
- Blockhouses, xxiii, 250, 281, 317, 393, 394, 399, 400, 487, 488, 490, 492, 493, 609, 610, 611, 616. See also Forts and Fortifications.
- Board of Trade, 592.
- Boats, 33, 84, 113, 205, 462, 463, 464. See also Ships.
- Bockwith, Basil, 19.
- Bohemia Manor, 361.
- Bond, 205, 207.
- Bonds, Mortgages and other securities, xiv, 8, 10, 11, 15, 16, 17ff., 44, 51, 60, 65, 67, 105, 106, 107, 148, 309, 325. See also Contracts; Mortgages.
- Bonfield, J., 668.
- Books and Bookkeeping, 233, 293, 434, 436.
- Booth, William, 562.
- Bordley, (John) Beale, 26. Stephen, xi, xxx, 31, 46, 53, 56, 59, 61, 63, 64, 67, 72, 74, 81, 83, 84, 98, 140, 142, 145, 151, 152, 155, 160, 167, 172, 244, 299, 309, 320, 321, 327, 328, 329, 330, 345, 348, 351, 352, 353, 354, 355, 361, 362, 366, 372, 375, 376, 405, 417, 425, 426, 431, 432, 433, 558, 588, 595. Stephen, jr., 275, 277, 415.
- Boston, 67, 435.
- Bounty, for scalps, see Scalps and Scalping.
- Bounty, for voluntary enlistment, 317, 487, 492, 597, 598, 609, 632, 633.
- Bowie, John, 582.
- Bracco, John, xi, 13, 16, 46, 50, 53, 55, 56, 58, 65, 69, 74, 81, 87, 93, 140, 145, 154, 160, 172, 221, 224, 230, 253, 254, 283, 286, 291, 292, 294, 295, 299, 301, 306, 312, 323, 324, 327, 328, 329, 334, 337, 340, 342, 346, 347, 348, 351, 354, 355, 362, 365, 366, 368, 369, 371, 372, 377, 396, 399, 402, 405, 413, 419, 422, 423, 425, 426, 427, 430, 432, 433, 439, 440, 555, 564, 577, 586, 588, 596, 599, 602, 605, 606, 618, 622, 624, 625, 627, 630, 633, 634, 638, 639, 640, 641, 643, 647, 648.
- Bradford, see Bradford.
- Braddock, Edward, vii, xii, xiii, xvi, xix, xx, 63, 98, 102, 104, 121, 123, 143, 144, 150, 187, 283, 342, 369, 590, 591, 608.
- Braddock Expedition, xxxi, xxxii.
- Braddock's Defeat, x.
- Bradford (Braddford), Benjamin, 15, 232, 566.
- Bran, 85.
- Brandy, 173, 174, 494, 496, 498, 501, 661. See also Drink.
- Brannock, Thomas, 20.
- Brashear, Robert, 21. See also Breashar.
- Bread, 69, 194.
- Breashar, William, 671. See also Brashear.
- Breeches, see Clothing.
- Brest (France), xix, 187.
- Brice, —, 271, 409. Colonel, xxvi. John, 17.
- Bricks, 617.
- Bridges, xxviii, 535.
- British, 315. See also British Agents; British Consul; British Dominions; British Subjects; England; English; English Laws and Statutes; English Penal Laws; English Statute of I William and

- Mary; Great Britain; headings under Majesty's.
- British Agents, 133, 137, 153, 161, 163, 169.
- British Army, see Great Britain.
- British Authority in North America, see Great Britain.
- British Campaign, see Great Britain.
- British Commander-in-Chief, see Commander-in-Chief; Great Britain.
- British Constitution, see Great Britain.
- British Consul, 115, 207.
- British Dominions, invasion, 111.
- British Forces in America, see Majesty's Forces, etc.
- British Government, see Great Britain.
- British King, see Great Britain.
- British Navy, see Great Britain.
- British Parliament, see Great Britain.
- British Secretary of State, see Great Britain.
- British Sterling, see Money.
- British Subjects, 12, 13, 56, 68, 70, 71, 79, 82. See also Servants.
- Brittingham, Nathan, 127, 133, 134, 136, 139, 148, 149, 161, 163, 168, 196, 207, 208, 209, 210, 211, 212.
- Broad Creek, 310, 620.
- Brogden, Rev. William, 24.
- Brooke, Rev. Clement, xxix, 595.
- Brown (Browne), George, 672.
- George, jr., 672. John, 273, 530, 531, 582.
- Bruff, Thomas, 22.
- Buchanan (Buchanon), Andrew, 667. Lloyd, xi, xvi, xix, 28, 46, 50, 51, 53, 55, 56, 59, 60, 69, 74, 81, 83, 141, 145, 146, 149. Peter, 21.
- Buckets, 334, 612.
- Budd, Samuel, 26.
- Bull, Constantine, 273, 529, 530, 531.
- Bullet Moulds, see Arms and Ammunition.
- Bullets, see Arms and Ammunition.
- Burdus, Richard, 17, 18, 117, 171, 584. See also Courts: Provincial, clerk.
- Burgess, John, 582.
- Burgesses, 300, 301, 340, 594, 595.
- Burk, William, 668.
- Busey, Edward, 671.
- Bush, John, 273, 530, 531.
- Bussey, Charles, 671. George, 671.
- Butler, Peter, 619.
- Butterfield, William, 335, 614.
- Buzzard Island, 234, 341, 546, 547.
- Bycurt, Philip, 673.
- Cables (for ships), 33, 84, 113, 205.
- Cagworthy, see Dagworthy.
- Caille, John, 232.
- Calder, 335.
- Callaways Branch, 213, 214.
- Callister, Henry, xxvii, 333, 335, 346.
- Callister's Company, 335. See also Soldiers.
- Calvert, Benedict, x, 3, 4, 5, 7, 11, 32, 37, 39, 44, 53, 88, 97, 105, 121, 128, 129, 132, 135, 137, 154, 158, 166, 219, 224, 225, 226, 229, 235, 236, 238, 239, 240, 242, 243, 245, 247, 249, 257, 262, 263, 267, 272, 273, 274, 279, 283, 285, 291, 293, 306, 311, 313, 332, 339, 341, 366, 391, 410, 411, 413, 416, 417, 421, 431, 434, 436, 518, 545, 553, 556, 557, 558, 599, 610. Benedict Leonard, ix. Cecilius, xvii, 169, 170. Cecilius, 2d Lord Baltimore, 41. Charles, 5th Lord Baltimore, ix, 41, 386. Frederick, 6th Lord Baltimore, ix, xiii, 1, 9, 10, 46, 106, 119, 140, 170, 197, 217, 299, 476, 551, 588, 650; see also Lord Proprietary.
- Calvert County, xi, xxxv, 20, 22, 23, 24, 25, 539, 531, 533, 538, 539, 541, 546, 547, 562, 568, 576, 638, 660, 668. Clerk, 576. Delegates, 46, 140, 299, 588. Prison, 273, 530.
- Cambridge, 562, 638.
- Campbell, Archibald, 672. John, 25, 26.
- Camp Kettles, 351.
- Canada, 69; expedition, 14, 15, 16, 54, 125, 126, 161, 230, 231, 565, 566. See also Expeditions.
- Cannon, see Arms and Ammunition.
- Canteens, 335.
- Cape Breton, 68, 69, 204.
- Cape Henry, xxxiv, 617, 629.
- Capere (Capeese, Caprea), Isles of, 7, 162, 213, 214, 215.
- Capes, 617.
- Capias ad respondendum*, 326, 514.
- Capias ad satisfaciendum*, 471.
- Caprea, see Capere.
- Captains, 112, 285, 450, 451, 452, 453, 454, 455, 457, 458, 459, 461, 462, 465, 467, 470, 491, 492, 618, 651; of foot, 466; of horse, 466; pay, 251, 632, 633. See also Officers.
- Captives, see Prisoners, of War.
- Carbine Ball; Carbine Buckets; Carbine Cartouch Boxes; Carbines; Carbine Slings; see Arms and Ammunition.
- Carlisle (Pa.), xxi, 345.
- Carmack, John, 672.
- Carman, Joseph, 21.
- Carolina, 488.
- Carolina Governments, 416.
- Carolina Troops, 319. See also Soldiers.
- Carpenters, 608, 617.
- Carriage Guns, see Arms and Ammunition.
- Carriages, 49, 98, 112, 114, 206, 619; duty on, xiii, xvi, 147, 179, 180, 181, 230, 564, 565, 567, 573, 574, 575, 576, 577; lists of, 646; rates of hire, 4, 28, 37, 38, 44, 48, 54, 73, 75, 88, 93, 97, 105, 111, 112.
- Carriers, 112.
- Carroll, Charles, xi, xxi, 17, 46, 51, 52, 54, 55, 56, 58, 81, 87, 126, 135, 140, 145, 148, 151, 154, 156, 160, 166, 169, 172, 187, 189, 229, 301. Charles (the Barrister), xi, xxi, xxiii, xxx, 22, 229, 255, 270, 272, 275, 279, 293, 295, 323, 324, 327, 328, 329, 330, 334, 343, 345, 347, 348, 349, 351, 354, 355, 362, 365, 366, 371, 372, 375, 376, 380, 391, 396, 399, 403, 405, 408, 411, 413, 415, 416, 417, 419, 421, 422, 425, 427, 431, 432, 433, 435, 438, 440, 490, 518, 557, 560, 561, 588, 595, 600, 601, 603, 604, 605, 606, 610, 611, 614, 618, 621, 631, 634, 638, 639, 640, 641, 645, 646, 647. Charles (of Carrollton), viii. Patrick, 273, 530, 531.
- Carslake, John, 22.
- Carter, Elizabeth, 26.
- Cartouch Boxes, see Arms and Ammunition.
- Carts, 463; rate of hire, 112, 608, 609. See also Wagons.
- Carty, Charles M., 273.
- Cary, James, 667.
- Casel, Samuel, 672.
- Casson, Henry, xi, 11, 55, 56, 58, 65, 74, 81, 87, 93, 128, 140, 145, 152, 155, 172, 238, 299, 323, 327, 328, 329, 331, 332, 337, 338, 339, 345, 347, 348, 351, 354, 355, 362, 365, 366, 371, 376, 396, 399, 402, 405, 413, 422, 425, 427, 431, 432, 433, 586, 588, 599, 601, 603, 605, 611, 615, 622, 624, 625, 627, 629, 630, 633, 634, 638, 639, 640, 641, 643, 647, 648.
- Caster, Edward, 383.
- Casting Moulds, see Arms and Ammunition.
- Caswell, Richard, 22.
- Cataraghqua, see Forts and Fortifications.
- Catawbas (Indians), xxvi, 313, 331, 332. See also Indians.
- Catholics, Catholicism, Roman Church, vii, viii, ix, xv, xviii, xix, xxiv, xxv, xxx, xxxi, xxxv, 156, 159, 160, 189, 190,

- 191, 247, 286, 288, 289, 293, 356, 357, 358, 359, 360, 376, 382, 383, 384, 385, 386, 387, 427, 428, 429, 430, 441, 442, 443, 444, 445, 446, 447, 448, 449, 598, 608, 634, 668, 669. See also Religious Controversy; Schools.
- Catterall, Thomas, 273, 530, 531.
- Cattle, 86.
- Causeway, xxviii, xxxiv.
- Cecil (Cæcil) County, xxviii, 15, 17, 18, 20, 21, 23, 24, 25, 26, 27, 235, 236, 240, 241, 243, 246, 302, 333, 340, 341, 343, 360, 361, 362, 364, 365, 530, 531, 533, 538, 539, 541, 566, 567, 568, 576, 577, 660. Clerk, 576. Delegates, 140, 299. Prison, 240, 273, 364, 529. Sheriff, 232. See also Courts.
- Census, of bachelors, 662; of French neutrals, 543; of Indians, xxvii, 536.
- Certiorari*, Writ of, 326, 514.
- Chairs, Chaises, 179, 180, 181. See also Coaches.
- Chalmers, Rev. Walter, 25.
- Chamberlaine (Chamberlain), Samuel, x, 121, 124, 125, 126, 128, 131, 132, 134, 135, 137, 138, 141, 146, 157, 159, 163, 164, 169, 195, 219, 221, 223, 224, 226, 229, 230, 233, 234, 235, 236, 238, 239, 240, 242, 245, 247, 249, 257, 262, 263, 264, 265, 267, 270, 273, 274, 279, 280, 283, 285, 291, 294, 295, 300, 301, 306, 312, 324, 332, 339, 340, 341, 366, 391, 392, 397, 409, 411, 416, 418, 421, 422, 426, 434, 436, 439, 440, 518, 545, 553, 557, 559, 589.
- Chambers, Ann, 127, 130, 131, 132, 138, 148, 149, 154, 156, 157, 161, 169, 195, 197, 198, 199. Samuel, xx, 127, 130, 131, 132, 138, 148, 154, 156, 157, 161, 169, 195, 197, 198, 199, 582.
- Chancery Office, see Courts.
- Chapel of Ease (Worcester Parish), xx, 127, 129, 131, 135, 139, 148, 154, 157, 166, 196, 202, 203. See also Church, Churches.
- Chapels, 464. See also Church, Churches.
- Chaplain, see MacPherson, John.
- Chapline, Joseph, 19, 104, 140, 145, 154, 160, 172, 233, 235, 299, 324, 327, 328, 329, 330, 338, 344, 345, 347, 348, 351, 354, 362, 365, 366, 371, 376, 396, 399, 402, 405, 413, 418, 422, 425, 427, 431, 432, 433, 622, 624, 625, 627, 629, 630, 631.
- Chapman, William, 21. William, jr., 21, 24.
- Chariots, 179, 180, 181.
- Charity, 542.
- Charles I, 170.
- Charles County, xxi, xxxiv, 18, 20, 25, 26, 29, 41, 75, 110, 111, 190, 235, 248, 538, 539, 541, 562, 563, 568, 574, 585, 587, 637, 638, 641, 642, 643, 644, 648, 657, 658, 660. Constable, 190. Delegates, 46, 140, 248, 299, 340, 364, 588. Prison, 190. Sheriff, 340.
- Charles Edward (Young Pretender), vii.
- Charles Town, 361, 362; court house, 240.
- Charter, Royal, 42.
- Charter of Province, 252.
- Charter Party, 326, 515.
- Chase, Jeremiah, 51, 53, 56, 59, 60, 141. Thomas, 667.
- Cherokee Country, 415, 419, 420.
- Cherokees (Indians), xxvi, 313, 331, 332, 416. See also Indians.
- Chesapeake Bay, 193, 463.
- Chester Town, 26.
- Chew, Samuel, 20.
- Chief Justice, xix, 149, 536.
- Chief Magistrate, 32, 84, 113, 205. See also Magistrates.
- Children, 36.
- Chiswell, Newton, 671.
- Chittam, Thomas, 23.
- Choptank River, 313, 318.
- Christie, Charles, 571, 576.
- Christopher's Camp, 109.
- Church, Churches, xx, xxviii, xxxv, 132, 133, 135, 139, 156, 158, 163, 166, 196, 203, 204, 234, 385, 464, 524, 525, 662, 667, 670. See also Chapel of Ease; Chapels; Mass Houses; Parochial Church; St. Anne's Church (Annapolis); St. Mary's Whitechapel Parish (Dorchester Co.); South River Church (Anne Arundel Co.).
- Church of England, vii, 358, 442, 443, 670.
- Church of Rome, see Catholics, Catholicism, Roman Church.
- Churchwardens, see Rectors, Vestrymen, and Churchwardens.
- Cider, 112, 325, 327, 651. See also Drink.
- Citation out of Prerogative Court, 514.
- Civil and Criminal Causes, 478, 479.
- Civil Officers, see Officers.
- Clark (Clarke), George, 273, 530, 531, 672. Richard, 273, 530, 531. Thomas, 19.
- Claus, Daniel, 316.
- Clergyman, 670.
- Clerk of Council, see Council.
- Clerks, xxiii, 459, 645; salaries, 565. See also County: Clerks; Courts; Lower House; Upper House; various counties.
- Clothing, 49, 50, 112, 208, 488, 609, 619, 632, 652. See also Belts; Shirt; Shoes; Stockings; Wearing Apparel.
- Coaches, 179, 180, 181. See also Chairs, Chaises.
- Coat, see Clothing.
- Coats, Charles, 673.
- Cockshutt, Ann, 562, 638.
- Coffee, James, 671. Philip, 672. Coins, see Money.
- Cole, Barnet, 671. Charles, 24.
- Collectors of Duties, Excise, Land Taxes, etc., 193, 251, 268, 275, 400, 401, 402, 406, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 507, 508, 509, 510, 511, 512, 513, 514, 661; bond, 510; election of, 394; salaries, 504, 509. See also Duties; Fines and Forfeitures; Licences; Tax, etc.
- College, xxv, 441. See also Education.
- Collins, Thomas, 273, 530, 531.
- Colonels, xxx, 450, 451, 452, 453, 454, 455, 456, 457, 458, 463, 464, 468, 469, 470, 491, 600, 602, 619; of foot, 466; of horse, 466. See also Officers.
- Colonial Union, see Colonies.
- Colonial War, Third, ix.
- Colonies, 593; defence of, 554, 589, 592, 600; Union of, xiv, 71.
- Colts, see Horses.
- Colvil, Thomas, 24, 25.
- Commander-in-Chief, xii, xvi, xx, xxix, xxx, xxxiii.
- Commanders of Militia, 298, 474. See also Officers.
- Commanders of Ships, 91, 173, 181.
- Commanding Officers, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 468, 469, 470, 473, 653, 654. See also Officers.
- Commerce, see Trade, Tradesmen, Commerce.
- Commissaries, 250, 393, 399, 492, 619; fees, 565, 633.
- Commissioned Officers, 99, 112, 459, 461, 462, 465, 470, 471, 651. See also Officers.
- Commissioners, 412; for laying additional land tax, 518, 519, 520; of peace, 523 (see also Justices); salaries, 520, 565; to visit Southern Indians, xxiii, xxiv, xxvi, 490. See also County: Commissioners; Oaths; Paper Currency Office.
- Commissions, 464.
- Committee of Accounts, see Accounts.

- Companies, 454, 456, 457, 458, 459, 462, 463, 464, 467, 470, 614; officers and men, 251; of foot, 450. See also Soldiers.
- Conaway, John, 668.
- Conogochiegh, see Conococheague.
- Conference, see Albany Conference.
- Congress, see Albany Conference; Alexandria.
- Conococheague (Conogochiegh, Conigocheeg, Conigochiege), 85, 350, 613, 618, 619.
- Conococheague (Conogochiegh, Conogochiegh, Conogoegek) River, 167, 281, 314, 414, 616.
- Conococheague Settlements, xxxii.
- Conspiracies, 451.
- Constable, Robert, 671.
- Constables, xxvii, 175, 179, 180, 182, 183, 184, 459, 497, 500, 505, 506, 536, 543, 544; fees, 180. See also Charles County; Frederick County; Kent Island.
- Contractor, for building road, 526.
- Contracts, 148, 197, 198. See also Bonds, Mortgages, etc.
- Conversion to Catholicism, see Catholics, Catholicism, Roman Church.
- Conveyance of Letters, 674.
- Conveyances, see Deeds.
- Convicts, xiii, xvii, 79, 153, 232, 252, 277, 363, 395, 401, 564. See also Crime and Criminals; Duties; Felons.
- Cooke, John, 18, 20, 22, 390, 568, 572.
- Cornet, 466.
- Cornwallis, Charles, 1st Marquess, 332.
- Coroners, 107, 182, 183, 184, 473.
- Corporals, 282, 452, 453, 459, 466, 492; of foot, 466; pay, 251, 632, 633. See also Soldiers.
- Coulter, —, 667. Michael, 17.
- Council, x, 357, 668. Clerk, 284, 404, 410, 413, 414, 424, 511, 568; salary, xxvi, 266, 271, 398. Members, 266, 271, 398, 404, 409, 520; allowance, xxvi, 409.
- Council of War, New York, xi, xx, 219, 303.
- Counterfeit, 483.
- County: Clerks, 115, 116, 445, 446, 454, 506, 507, 515, 536, 537, 540, 564, 567, 569, 597, 646; fees, 181, 515; lists, 568, 569, 570, 571, 572, 573, 574, 575, 576. Commissioners, 41. Levy, 116, 180, 453, 485, 505, 524, 525, 526, 538, 539, 540, 541, 543, 546, 656, 660. Records, xxvii, 417, 548.
- Levies; Magistrates; various counties.
- County Party, x, xi, xii, xxx, xxxiii.
- Cour, Thomas, 673.
- Couriers, xvii, xviii, xix, 130, 131, 150, 151, 153, 156, 158, 165, 171, 172, 173, 187, 194, 369.
- Court Martial, 282, 467, 468, 469, 470, 471.
- Courts, John, 20.
- Courts, xxviii, 41, 210, 470, 471, 499, 514, 543; clerks, 516; houses, 246, 607; justices, 532; notices, 621. Anne Arundel Co., 249, 297, 548; clerks, 249, 297, 341, 342, 343, 365, 417, 548. Appeals, 539, 584. Assizes, 190. Baltimore Co., 28, 30, 44, 60, 61, 72, 74, 105, 107, 108, 109, 110; clerks, 9, 30, 44, 77, 80, 82, 100, 105, 109; justices, 9, 107; records, 44, 77, 80, 105, 109, 110. Cecil Co., 240, 241, 243, 296, 342, 343, 349, 521, 522; house, 240, 246, 361, 362, 364. Chancery, 326, 483, 514; register, 483. County, xxvii, xxviii, 91, 107, 115, 184, 241, 242, 243, 267, 272, 282, 289, 292, 293, 294, 296, 297, 326, 335, 342, 345, 349, 387, 389, 403, 405, 410, 412, 431, 433, 436, 437, 445, 447, 448, 468, 473, 477, 482, 493, 494, 499, 504, 514, 521, 522, 523, 524, 525, 527, 528, 538, 539, 540, 541, 542, 543, 544, 658, 659, 660; clerks, 404, 659; justices, 9, 92, 511; office, 429. Dorchester Co., 204, 225, 226, 309, 310, 311, 312, 476, 477. Frederick Co., xiv, 57, 233, 234, 235, 236, 323, 324, 330, 332, 478. Judicature, 99, 282. Justice, 467. Mayor's 548. Prerogative, 326, 514. Prince George's Co., 360; clerk's office, 360; house, 360. Provincial, xx, 109, 114, 117, 128, 130, 135, 138, 152, 195, 200, 206, 289, 326, 429, 444, 468, 482, 514, 529, 539, 548, 549, 566, 577, 583, 646, 663; clerk, 117, 215, 483, 485, 511, 549, 663, see also Burdus, Richard; justices, 512. Queen Anne's Co., 238, 239, 338, 339, 479. Record, 91, 138, 174, 192, 195, 290, 430, 442, 449, 473, 482, 491, 505. Talbot Co., 225, 226, 309, 310, 311, 312, 476, 477. See also Chief Justice.
- Crabb, Henry Wright, xv, 26, 46, 53, 56, 57, 58, 65, 66, 74, 81, 83, 87, 93, 136, 140, 145, 154, 160, 165, 172, 302, 313, 324, 327, 328, 329, 332, 339, 343, 344, 347, 348, 351, 355, 362, 365, 366, 368, 371, 376, 391, 392, 396, 402, 405, 412, 413, 419, 420, 422, 425, 427, 430, 432, 433, 614, 622, 624, 625, 626, 627, 630, 634, 638, 639, 640, 641, 643.
- Crandall, Francis, 20.
- Crawford, —, 190, 358, 384.
- Creagh, Patrick, 17.
- Cresap, Thomas, 85, 86, 320, 323, 324. Thomas, jr., xxvii, 436.
- Crime and Criminals, xviii, xix, xxiv, 13, 71, 79, 189, 358, 363, 382, 383. See also Convicts; Felons.
- Criminal Causes, see Civil and Criminal Causes.
- Crockett, Gilbert, 668. John, 162.
- Crom, Curnelas, 672.
- Crown, Henry, 668.
- Crown Point, 315.
- Crows, 128, 130, 135, 138, 139, 152, 155, 166, 195, 200, 202, 391, 396.
- Crum, Abraham, 671. Gilbert, 671. Gisbert, 672.
- Cuba, expedition against, 14, 15, 16, 54, 125, 126, 230, 231, 565, 566. See also Expeditions.
- Culloden Moor (Scotland), defeat of Charles Edward (1746), vii.
- Cumberland, xvii. See also Ports and Fortifications; Will's Creek.
- Cumming (Cummings), William, 16, 17, 19, 24, 25, 27, 336.
- Curate, xxix.
- Currar, John, 23.
- Currency Office, see Loan Office; Paper Currency Office.
- Current Money, see Money.
- Customs, frauds, xiv, 9, 10, 11, 39, 54, 61, 62, 72, 97, 115, 148, 259, 340, 342, 361, 377, 540, 658; chief officer, 32, 84, 113, 205.
- Cutlasses, see Arms and Ammunition.
- Daggers, see Arms and Ammunition.
- Dagworthy (Cagworthy, Dagworthy), Captain, 86, 283, 335, 350, 558, 608, 609, 617, 674.
- Dagworthy's Company, 283, 335, 350, 609. See also Soldiers.
- Dallam, William, 18, 19.
- Dams, 535.
- Darnall, Edward, 671. Henry, xviii, xix, xxiv, 149, 159, 359, 360, 385, 388, 390, 578, 579, 582, 583; see also Attorney General. John, xviii, xix, xxiv, 19, 20, 23, 159, 191.
- Dashiel, George, 25. Joseph, 583.
- Davidge, John, 614.
- Davis, Allen, 20. Ephraim, 671. Garah, 671. Jonathan, 20.

- Dawson, —, 150. Mrs. —, 150. Thomas, 673.
- Deale, James, 20.
- Dean, Abraham, 273, 530, 531.
- Debenture, 517.
- Debts and Debtors, xxviii, 106, 107, 138, 184, 273, 530, 532, 533, 582. See also Public Debts.
- Declaration of Rights, xi.
- Deed-poll, 326, 514, 515.
- Deeds, xiv, 29, 30, 31, 44, 63, 75, 76, 77, 80, 82, 100, 105, 109, 110, 111, 198, 199, 212, 234, 240, 241, 249, 285, 289, 291, 297, 326, 341, 342, 343, 345, 365, 417, 423, 424, 429, 431, 446, 514, 515, 548, 562; of lease and release, 111. See also Lease.
- Deer, destruction of, 347.
- Defaced Bills, 486, 487.
- Defence Bills, xix, xxi.
- Defence of Province, see Province.
- Deford, Lewis, 273, 529, 530, 531.
- De Lancey, James (Gov. of N. Y.), 68.
- Delaware, xv, xxv.
- Delaware Bay, 31, 36, 81, 88, 89, 92, 286, 449.
- Delaware Indians, xx, 220, 303. See also Indians.
- Delegates to Lower House, xi, xv, xix, xxi, 140, 141, 142, 149, 221, 229, 237, 248, 209, 300, 301, 302, 340, 404, 409, 434, 473, 520, 588, 589, 594, 595, 604, 607, 644. See also Annapolis; Lower House; Members; various counties.
- Demurrer, 583.
- Denniger, Mickel, 667.
- Dennis, John, xi, 18. John, jr., 28, 59, 65, 74, 75, 81, 237, 301, 576. Capt. John, 59, 65, 74, 81, 146, 155, 160, 163, 253, 307, 327, 328, 329, 334, 342, 345, 347, 348, 351, 354, 362, 365, 366, 367, 371, 375, 376, 377, 584, 604, 605, 611, 622, 624, 625, 627, 629, 630, 634, 638, 639, 640, 641, 642, 644.
- Dent, George, 574, 583.
- Denton, Vachel, 21.
- Deputy Clerk, Prince George's Co., see Prince George's Co.
- Deputy Secretary, 117, 141, 149, 170, 215, 300, 340, 434, 594.
- Deputy Sheriffs, see Sheriffs.
- Deputy Surveyor, see Surveyor.
- Deserters, xxx, 674.
- Desertion, 251, 282, 394, 467, 493, 494.
- Dick, —, 675. James, xxiv, 20, 24, 488, 626.
- Dickson, —, 674.
- Digges, Ignatius, 20, 22. John, 18. Philip, 20.
- Dinwiddie, Robert (Gov. of Va.), xxv, xxvi, 318, 331, 332, 337, 414, 415.
- Disability Pension, 493.
- Discharge from Service, 494.
- Distillers, duties and impositions, 494, 500, 501. See also Drink.
- Divine Service, 464.
- Dixon, —, 348. James, 626.
- Dogan (Doggan), Edward, 132, 133, 134, 136, 139, 159, 161, 168, 196, 207, 208, 209, 210, 211, 212.
- Donaldson, James, 17.
- Dorchester County, xi, xx, xxvi, xxviii, xxx, xxxiv, 15, 18, 20, 133, 135, 139, 156, 158, 163, 196, 203, 204, 225, 226, 313, 318, 477, 526, 530, 531, 533, 538, 539, 541, 562, 565, 566, 567, 577, 578, 579, 580, 638, 656, 660. Church, 132. Clerks, 16, 231, 232. Delegates, 46, 140, 299, 588. Prison, 273, 530. Sheriff, 204, 232. See also Courts.
- Dorsey (Dossey), Basil, 582. Edward (of Annapolis), xxxi, 212, 234, 341. Edward (of Dorchester Co.), 273, 530, 531. Ely, 213. Greenbury, 18, 24. John, 212. John Hammond, 18, 24. Joshua, 573. Joshua, jr., 18. Mary, 213. Richard, 13, 69, 125, 224, 306, 564, 586, 643, 647. Vincent, 18.
- Dossey, see Dorsey.
- Douglass, James, 235.
- Dowden, Michael, 671.
- Draft, xxiii, xxxii, 491, 492, 493, 619, 620, 622. See also Enlistment.
- Drew, Anthony, 26.
- Drink, 41, 208. See also Beer; Brandy; Cider; Distillers; Drunkenness; Liquors; Rum; Spirits; Wines.
- Driver, John, 668.
- Drummers, see Drums and Drummers.
- Drums and Drummers, 251, 334, 335, 466, 492, 612, 613, 614, 632, 633.
- Drunkenness, 460. See also Drink.
- Drury, Charles, 26.
- Duckett, John, 156, 157, 162, 336.
- Duff (Duffy), Simon, 17, 26.
- Dulany, Daniel (the Younger), xi, xxx, xxxi, 17, 18, 20, 21, 24, 336, 558, 607, 618, 621, 622, 624, 625, 626, 627, 628, 629, 630, 634, 638, 639, 640, 641, 642, 644, 645. Walter, xi, 5, 13, 16, 46, 50, 51, 53, 55, 56, 59, 65, 69, 74, 87, 93, 101, 124, 125, 126, 140, 141, 145, 146, 151, 155, 160, 172, 221, 224, 230, 291, 292, 294, 295, 299, 300, 301, 305, 306, 313, 319, 327, 328, 329, 334, 345, 347, 348, 351, 354, 362, 365, 366, 371, 376.
- 378, 396, 399, 402, 405, 413, 422, 425, 427, 431, 432, 433, 434, 439, 440, 545, 555, 564, 577, 586, 588, 595, 596, 601, 605, 622, 624, 627, 629, 630, 634, 638, 639, 640, 641, 642, 643, 647, 648.
- Dunbar (Dumbar), Govan (Goven), 273, 529, 530, 531. Thomas, xii, 48, 234.
- Dunbar's (Thomas) Regiment, 234. See also Soldiers.
- Duquesne, see Forts and Fortifications.
- Durbin, John, 672. Samuel, 672. Thomas, 672. William, 672.
- Dutch, 591.
- Duties, ix, xiii, xvi, xvii, xxi, 71, 78, 79, 89, 90, 103, 129, 135, 147, 153, 157, 164, 176, 178, 181, 182, 183, 184, 230, 232, 251, 277, 325, 326, 329, 395, 494, 507, 514, 515, 516, 517, 518, 520, 564, 565, 567, 573, 574, 575, 576, 635, 636; on wines and liquors, 173, 174, 175, 178, 179, 327, 394, 400, 401, 495, 496, 497, 498, 501, 502, 503, 504, 661, 662. See also Collectors of Duties, etc.; Convicts; Excise; Fines and Forfeitures; Horses, etc.; Immigrants; Imports; Imposts; Iron; Levies; Licences; Liquors; Negroes; Pitch; Public Assessments; Rates and Duties; Servants; Tar; Tax, etc.; Turpentine; Wines.
- Eaglestone, A., 667.
- Earle, John, 231. Michael, 5, 13, 16, 26, 31, 51, 53, 55, 56, 58, 65, 69, 72, 74, 81, 83, 87, 98, 101, 124, 145, 221, 224, 230, 241, 243, 244, 249, 283, 291, 292, 294, 295, 299, 301, 306, 313, 323, 327, 328, 329, 334, 341, 342, 343, 344, 346, 347, 348, 351, 352, 353, 354, 362, 365, 366, 371, 372, 376, 396, 411, 413, 419, 422, 423, 425, 427, 431, 432, 433, 439, 440, 555, 564, 568, 596, 600, 602, 605, 611, 621, 622, 627, 643.
- Edgar, Rev. Samuel, 23.
- Edge, James, 5, 13, 16, 51, 54, 55, 56, 58, 65, 69, 74, 81, 87, 93, 124, 125, 126, 141, 145, 151, 154, 160, 162, 172, 221, 224, 226, 230, 243, 244, 259, 267, 299, 301, 306, 311, 320, 323, 327, 328, 329, 334, 338, 340, 342, 345, 347, 348, 351, 352, 353, 354, 355, 362, 365, 366, 371, 376, 396, 399, 402, 405, 412, 555, 596.
- Edmondson, James, 21, 23. Pol-lard, 28, 31, 51, 54, 55, 56, 58, 65, 72, 74, 81, 83, 87, 93, 132, 141, 145, 154, 160, 161, 172, 225, 259, 301, 310, 320, 323,

- 327, 328, 329, 330, 343, 346, 347, 348, 351, 353, 363, 365, 366, 371, 376, 377, 378, 396, 399, 402, 405, 412, 563, 588, 600, 601, 605, 611, 615, 631, 634, 638, 639, 640, 641, 642. Solomon, 18.
- Education, xviii, xxiv, xxv, 288, 289, 358, 359, 385, 428, 429, 441, 442, 443, 669. See also Schoolmaster; Schools; Seminars; Tutor.
- Elbert, William, 582.
- Elder, Alexander, 23. James, 23.
- Election, Writ of, xxi, 141, 149, 271, 300, 340, 434, 594.
- Elections, of Inspectors, 637. See also Election, Writ of; Lower House: Committees.
- Elk River, 246; Head of, 362, 364.
- Ellis, James, 673. Samuel, 673. Zachariah, 673.
- Ely, Thomas, 673.
- Embargo, 187, 188, 554, 590, 602.
- Emerson, Philip, 148.
- Emerson's Landing, 148.
- Enemies, xix, xxiv, xxxi, xxxiv, 3, 6, 12, 43, 47, 52, 70, 79, 89, 121, 145, 150, 160, 177, 186, 187, 188, 219, 220, 222, 223, 244, 250, 257, 258, 265, 281, 287, 295, 302, 303, 304, 311, 313, 315, 317, 322, 336, 345, 357, 373, 374, 380, 386, 393, 397, 402, 415, 427, 435, 437, 438, 441, 462, 467, 468, 480, 536, 555. See also French; Indians.
- Engineers, 591.
- England, xii, xvii, xxv, xxx, 170, 293, 357, 405, 436, 441, 590. See also Great Britain.
- English, xxix. See also headings under British; Great Britain.
- English Coins, see Money.
- English Laws and Statutes, 395, 401, 444. See also English Penal Laws; English Statute of I William and Mary.
- English Penal Laws, xxxv, 668, 669. See also English Laws and Statutes.
- English Statute of I William and Mary (Chap. xviii, 1688), xviii, xix, 154, 155, 156, 160.
- Enlistment, viii, xxiii, xxix, xxx, xxxi, xxxii, xxxiii, 14, 15, 49, 86, 125, 126, 172, 230, 231, 252, 395, 401, 450, 451, 454, 456, 457, 458, 459, 464, 465, 468, 487, 488, 491, 492, 493, 494, 554, 565, 566, 580, 590, 596, 598, 600, 601, 608, 609, 612, 616, 632, 650, 651, 652, 653, 654. See also Draft.
- Enrolling Conveyances, see Quieting Possessions, etc.
- Ensigns, see Officers.
- Ensor, John, jr., 667.
- Entry, Writ of, 326, 514; *sur disseisin en le post*, 514.
- Equity of Redemption, 111.
- Error, Writ of, 326, 514.
- Escape, Actions of, 533.
- Essex, J., 672.
- Essoign, 138.
- Established Church, xix. See also Religious Controversy.
- Estates, 285, 291, 423, 431, 548.
- Estop, John, 19.
- Ettinge, Isaac, 673.
- Europe and Europeans, xiv, 49, 115, 207, 220, 303, 386.
- Evans, David, 582. Henry, 588, 599, 601, 605, 611, 622, 624, 625, 629, 630, 634, 638, 639, 640, 641. Jab, 667. John, 24, 60, 65, 74, 76, 77, 140, 145, 154, 160, 172, 248, 301, 327, 328, 329, 334, 342, 346, 347, 348, 351, 354, 362, 364, 365, 366, 372.
- Excise, 392, 402, 406, 494, 495, 499. See also Collectors of Duties, Excise, Land Taxes, etc.; Duties; Fines and Forfeitures; Licences; Tax, etc.
- Executions, 533; on Judgments, 478, 480, 522, 527; staying, 523; writs, 456.
- Exemption from Taxes, 543.
- Expeditions, xxiv, 393, 394, 396, 399, 400, 488, 490, 492, 493, 590, 650; Northward, 317, 324; Westward, xviii, 317, 324, 347, 348, 493. See also Canada; Cuba.
- Exports, ix, xxxiii, 319, 336, 554, 590, 591, 594, 602; ammunition, provisions, etc., xiv, xviii, xx, xxviii, xxix, xxxi, 32, 113, 133, 134, 136, 138, 139, 147, 163, 164, 168, 188, 189, 192, 193, 196, 204, 205, 206, 220, 222, 223, 224, 225, 226, 304, 305, 308, 309, 311, 312, 476, 585, 587, 644, 646, 648, 663. See also Tobacco.
- Expresses, 265, 350, 376, 398, 617, 623, 626, 627.
- Falkoner's Landing, 234.
- Farrow, John, 283, 421.
- Fees, xvi, xvii; on private bills, 44, 138. See also Attorneys at Law; Clerks; Commissaries; County: Clerks; Courts; Imprisonment; Jurors; Legal Fees; Lower House; Secretary's Fees; Sheriffs; Upper House.
- Felons, 467, 493. See also Convicts; Crime and Criminals.
- Fendall, James, 668.
- Ferriages, 395, 401, 494.
- Ferryman, 468.
- Ferry of Vienna, see Vienna Ferry.
- Field, Henry, 672.
- Field Officers, see Officers, Military.
- Filly, see Horses.
- Fines and Forfeitures, ix, x, xv, xviii, xxv, 35, 41, 42, 43, 95, 96, 103, 104, 164, 175, 176, 178, 179, 180, 183, 184, 193, 194, 206, 258, 290, 294, 378, 430, 436, 449, 467, 469, 470, 471, 473, 491, 495, 496, 498, 499, 500, 505, 506, 516, 518, 519, 520, 564, 568, 573, 578, 580, 630, 635, 668. See also Alienation Fine; Collectors of Duties, etc.; Duties; Excise; Levies; Licences; Penalties; Tax, etc.
- Fire Arms, see Arms and Ammunition.
- Firelocks, see Arms and Ammunition.
- Fish, curing, xiv.
- Fitchgerl, Gar., 671.
- Fitzhugh (Fitzheugh), William, xi, 58, 59, 60, 128, 140, 145, 148, 152, 154, 156, 160, 162, 163, 299, 308, 309, 323, 327, 328, 329, 334, 336, 338, 340, 343, 344, 351, 352, 354, 361, 603, 605, 611, 615.
- Five Nations (Indians), 315, 316. See also Indians.
- Fleet, see French.
- Fleming, Thomas, 26.
- Flethall, John, 673.
- Flints, see Arms and Ammunition.
- Flour, 69, 85, 193, 194.
- Food, 49, 112, 350.
- Forces, see Soldiers.
- Foreign Coins, see Money.
- Foreigners, importation and naturalization, 89, 421, 424.
- Forfeitures, see Fines and Forfeitures.
- Forgery, 360, 384.
- Fornication, punishment of, xxviii, 263, 264, 267, 297, 381, 391, 392, 403, 529. See also Adultery.
- Fort: and Fortifications, xv, xxxii, xxvi, xxxi, xxxii, 68, 121, 143, 144, 145, 250, 251, 278, 280, 281, 282, 283, 315, 317, 331, 393, 394, 399, 400, 415, 416, 420, 487, 488, 490, 491, 492, 493, 592, 608, 609, 610, 611, 616, 617, 619, 654; adjutant, 251, 394, 400. Cat-araghqua, 315. Cumberland, xviii, xix, xxxii, 149, 167, 187, 194, 282, 608. Duquesne, xvi. Frederick, xxxii, xxxiii, 613, 614, 615, 617, 618, 619, 621, 622, 623, 625, 633, 654. Johnson, 315. Niagara, 315. See also Blockhouses; French; Garrisons; Settlements.
- Fortye, Lieutenant, 86.
- Fowber, John, 672.
- Fowler, Samuel, 24.

- Fox, —, xxx. Henry, xxix, 591, 592, 601.
 Fox, see Red Foxes.
 Franklin, Benjamin, viii. Jacob, 25. Thomas, 22.
 Fraser, George, 140, 145, 154, 160, 172, 299, 320, 323, 327, 328, 329, 334, 343, 345, 347, 348, 351, 354, 362, 365, 366, 376, 396, 399, 403, 405, 413, 418, 422, 425, 427, 430, 432, 433, 586, 588, 600, 601, 605, 611, 621, 622, 624, 625, 627, 630, 634, 638, 639, 640, 641, 643, 647, 648.
 Frauds, 498. See also Customs.
 Frederick, see Forts and Fortifications; Frederick Town.
 Frederick County, xiv, xix, xxi, xxvii, xxviii, xxxii, xxxv, 14, 18, 19, 21, 26, 57, 58, 59, 61, 149, 150, 166, 208, 224, 233, 234, 235, 236, 249, 306, 314, 320, 333, 336, 341, 342, 366, 438, 478, 511, 530, 531, 533, 538, 539, 541, 542, 562, 565, 570, 576, 618, 619, 660, 669, 670. Clerk, 576. Constables, 57, 58. Delegates, xv, 46, 140, 299, 588. Justice, 64. Justices of Peace, 57, 66. Magistrates, 82. Prison, 14, 125, 132, 133, 134, 136, 139, 158, 161, 168, 196, 207, 273, 530. Sheriffs, 57, 207, 232. See also Courts.
 Frederick Town, xiv, 190, 335, 614, 619, 674; company, 335.
 Freeborris Progress, 16.
 Freeholders, Freemen, etc., xxxv, 172, 235, 343, 360, 668, 669, 670.
 Free Schools, see Schools.
 French, vii, viii, xii, xiii, xiv, xvi, xviii, xx, xxvi, xxvii, xxix, xxxiii, 31, 32, 38, 43, 44, 67, 68, 83, 89, 90, 92, 93, 97, 105, 113, 114, 121, 130, 131, 133, 134, 136, 139, 143, 147, 150, 151, 152, 156, 158, 162, 163, 164, 165, 171, 172, 186, 193, 196, 204, 205, 206, 220, 222, 223, 224, 225, 226, 247, 265, 303, 304, 312, 315, 316, 331, 345, 397, 415, 476, 511, 585, 587, 591, 593, 594, 618, 644, 646, 648, 663, 669. Fleet, xix, 187. Forts, Fortifications, Garrisons, xv, 3, 13, 47, 69, 70, 89. Frigate, 337. Immigrants, 36, 89, 91. Indians, 149, 167, 593; see also Indians. Islands, 602. Language, 36, 90, 91. Neutrals, xxvii, xxviii, 346, 365, 427, 461, 542, 543. Officers, 315, 373. Troops, xix. See also Acadia; Papists.
 French Town (Baltimore), xxviii.
 Frontiers, defence and security of, xiii, xvi, xvii, xix, xx, xxix, xxxiii, 219, 220, *et pas-*
sim. See also Defence Bills; Province.
 Frosher, John, 667.
 Fruit, 325, 327, 494, 500, 501.
 Furnaces, 468.
 Furniture, 463.
 Fyffe, James, 673.
 Gale, Levin, xxx, 18, 584, 644.
 Gallford, William, 673.
 Galloway, John, 25. Peter, 18, 20. Samuel, 22.
 Gaol, see Prisons.
 Gardiner, John, 21.
 Garland, see Ships.
 Garnett, George, 18, 25. Joseph, 18, 25.
 Garrish, Anne, 273, 529, 530, 531.
 Garrisons, xxxii, 177, 281, 487, 488, 593, 653. See also Forts and Fortifications.
 Garttmay, Georg Michael, 668.
 Gassaway, John, 9, 23, 24, 63, 75, 76. Capt. John, 46, 50, 51, 54, 55, 56, 58, 63, 67, 74, 81, 87, 93, 130, 140, 145, 146, 148, 149, 154, 156, 160, 169, 240, 249, 279, 280, 291, 299, 309, 333, 334, 342, 343, 345, 347, 348, 351, 354, 362, 365, 366, 371, 376, 396, 399, 403, 405, 413, 416, 417, 418, 420, 422, 425, 427, 430, 432, 433, 434, 518, 545, 557, 558, 564, 582, 583, 586, 588, 599, 601, 604, 605, 607, 611, 614, 622, 624, 625, 627, 630, 634, 638, 639, 640, 641, 643, 647, 648. Thomas, 23.
 Gather, Edward, 582.
 Gay, Nicholas Ruxton, 63, 66, 667.
 Geist, Richard, 22.
 Gelding, see Horses.
 George II, 92, 443, 451.
 George, Joshua, 17, 18, 21. Sidney, 26.
 George Town, 234.
 Germans, xxix, 36, 89, 90, 91, 92, 591, 670; language, 36, 90, 91. See also Papists.
 German Script, 670.
 Ghiselin (Ghiseline), William, 19.
 Glanville, Stephen, 26.
 Glover, John, 273, 530, 531.
 Goal, see Prisons.
 Gold, 24.
 Goldsborough, Charles, xi, 55, 56, 59, 60, 146, 151, 152, 155, 156, 160, 169, 172, 225, 228, 305, 308, 309, 310, 313, 321, 327, 328, 329, 331, 334, 344, 431, 432, 578. John, 69, 73, 74, 75, 81, 82, 83, 87, 93, 101, 121, 136, 140, 141, 145, 151, 154, 156, 159, 160, 168, 172, 284, 287, 291, 295, 299, 313, 327, 328, 329, 330, 331, 332, 339, 340, 343, 345, 347, 348, 351, 354, 361, 362, 363, 409, 413, 418, 419, 421, 422, 424, 425, 427, 430, 432, 433, 434, 438, 439, 545, 553, 588, 589, 596, 600, 601, 605, 607, 611, 615, 631, 634, 638, 639, 640, 641. William, x, 28, 32, 39, 98, 121, 127, 128, 131, 134, 137, 148, 158, 166, 240, 242, 245, 247, 257, 279, 293, 296, 343, 417, 474, 518.
 Goodwin, Lyde, 582, 583.
 Gordon, George, 232, 570. Rev. John, 25. Robert, 17, 27, 584. Robert, jr., 26. See also Jordan.
 Gore, James, 673. James Mar-
 een [Manin], 673.
 Goslen, Ezek., 671.
 Gott, Anthoney, 668.
 Gough, Adam, 273, 530, 531.
 Govane, William, 19, 23, 24, 25, 26, 27, 28, 38, 39, 46, 54, 55, 56, 58, 65, 72, 74, 81, 87, 93, 97, 121, 133, 134, 140, 141, 145, 146, 152, 154, 160, 161, 163, 165, 219, 273, 286, 292, 299, 300, 313, 327, 328, 329, 334, 343, 346, 347, 348, 351, 354, 362, 365, 366, 369, 371, 372, 391, 396, 399, 402, 405, 412, 413, 418, 422, 425, 426, 427, 431, 432, 433, 434, 435, 563, 586, 588, 599, 602, 603, 605, 611, 622, 624, 625, 626, 629, 630, 631, 634, 638, 639, 640, 641, 642, 643, 647, 648.
 Gover, Ephraim, 18.
 Governor, vii, xiv, xv, xxi, xxvii, xxx, xxxiii, xxxiv, xxxv, 36, 37, 47, 49, 50, 58, 80, 231, 250, 265, 295, 296, 300, 347, 353, 360, 376, 389, 390, 394, 398, 400, 474, 588, 634. Accounts, 623, 626, 627, 628. Addresses: to Assembly, 3, 45, 47, 105, 121, 139, 141, 196, 219, 297, 474, 553, 587, 589, 649; to Lower House, 55, 59, 61, 63, 67, 98, 99, 101, 142, 144, 149, 155, 166, 171, 187, 189, 305, 313, 314, 318, 320, 323, 331, 333, 337, 339, 345, 348, 350, 369, 372, 373, 377, 381, 391, 414, 415, 437, 597, 602, 603, 607, 612, 615, 616, 617, 623, 637, 645; to Upper House, 8, 9, 124, 223, 556. Annual revenue for, 474. House, xxvi, 265, 270, 271, 285, 398, 403, 409, 424. See also Lower House; Sharpe, Horatio; Upper House.
 Grace, William, 273, 529, 530, 531.
 Grahame, Charles, 22.
 Grain, 325, 327, 494, 500, 501, 602.
 Grand Jury, 92, 184, 358, 388. See also Jurors, Jury.
 Grant, Elizabeth, 273, 530, 531.
 Grape Shot, see Arms and Ammunition.

- Grasmick, Casper, 668.
- Gray, Joseph Cox, 46, 53, 55, 56, 58, 65, 74, 81, 87, 93, 132, 135, 138, 140, 145, 154, 159, 160, 166, 172, 189, 226, 285, 299, 311, 327, 328, 329, 334, 338, 340, 343, 345, 347, 348, 351, 354, 362, 363, 413, 418, 422, 424, 425, 427, 430, 432, 433, 435, 585, 599, 601, 605, 611, 622, 624, 625, 627, 629, 630, 634, 638, 639, 640, 641, 646.
- Great Britain, viii, 122, 123, 124, 142, 498, 507. Armies, viii. Authority in North America, viii. Campaign, xx. Commander-in-Chief, xxxiii; see also Commander-in-Chief. Constitution, 359, 384. Government, xiii. King, vii, viii, xii, xvi, xxix, 3, 13, 47, 48, 49, 50, 52, 71, 79, 80, 102, 122, 123, 124, 142, 144, 173, 219, 220, 264, 270, 271, 295, 296, 303, 304, 305, 318, 451, 553, 554, 555, 589, 590, 591, 592, 593, 600, 601, 650. Navy, xxix. Parliament, xxii, xxx, 71. Secretary of State, xii, xxix, 4, 47, 48, 553, 589, 592, 601, 606, 607; see also Robinson, Sir Thomas. See also headings under British; England; headings under English; headings under Majesty's; Servants.
- Great Man, see Indians: chiefs.
- Great Marsh, 346.
- Green, —, 627. Henry, 668. John, 273, 529, 530, 531. Jonas, xxviii, xxxiv, 21, 33, 83, 85, 287, 291, 292, 297, 381, 425, 426, 473, 538, 539, 540, 584, 585, 587, 642, 646, 648, 659, 660; see also Printer.
- Greenup, Jno., 672.
- Greenwood, William, 273, 529, 530, 531.
- Gresham, John, 24. Richard, 24, 60, 65, 74, 81, 87, 93, 134, 136, 154, 160, 165, 172.
- Grievances and Courts of Justice, see Lower House: Committees.
- Grintzmann, Henrich, 668.
- Groves, Joseph, 673.
- Guards, 463, 465, 467.
- Guides, 619.
- Gunflints, see Arms and Ammunition.
- Gunners, 251, 394, 400.
- Gunpowder, see Arms and Ammunition.
- Guns, see Arms and Ammunition.
- Gunsmith, 251, 278, 394, 400, 492, 633.
- Habeas Corpus*, Writ of, 326, 514.
- Haies, William, 671.
- Halberts, see Arms and Ammunition.
- Halifax, Earl of, 592.
- Halifax (Nova Scotia), 205.
- Halkett, Sir Peter, xii, 48.
- Hall, Captain, 565. Colonel, 618. Elihu, 21, 236. Elisha, 667. George, 672. Henry, xi, 19, 25, 30, 46, 50, 51, 54, 55, 56, 58, 64, 65, 66, 74, 77, 81, 87, 93, 96, 97, 100, 104, 105, 130, 132, 140, 145, 148, 154, 156, 160, 161, 172, 188, 227, 228, 229, 299, 304, 308, 311, 320, 321, 322, 323, 327, 328, 329, 334, 338, 340, 343, 345, 347, 348, 351, 354, 362, 365, 366, 371, 376, 378, 380, 381, 396, 398, 399, 402, 405, 412, 413, 424, 434, 557. Henry, jr., 360. Jasper, 132, 133, 134, 136, 139, 158, 168, 196, 207, 208, 209, 210, 211, 212. John, xxxii, 620. Joseph, 22, 25. Warfield, 672.
- Hamil, John, 583.
- Hamilton, Alexander, 24, 25. Rev. John, 302.
- Hammond, Charles, x, 5, 7, 8, 17, 18, 22, 28, 29, 32, 33, 44, 75, 83, 105, 117, 121, 127, 128, 131, 133, 137, 138, 141, 157, 192, 195, 215, 219, 225, 229, 235, 237, 238, 243, 244, 245, 246, 247, 249, 257, 261, 263, 266, 267, 274, 280, 285, 286, 287, 291, 300, 335, 352, 374, 380, 405, 419, 423, 424, 434, 545, 553, 557, 558, 561, 563, 585, 586, 589, 614, 648. Maj. Charles, 614. John, 18. Lawrence, 19, 27, 213, 214. Mary, 25. Mordecai, 19, 20. Philip, xi, xxi, xxiii, 7, 46, 50, 51, 53, 54, 55, 56, 58, 60, 63, 64, 65, 74, 81, 87, 93, 97, 100, 102, 127, 140, 142, 143, 145, 149, 151, 153, 154, 160, 161, 164, 169, 172, 189, 192, 246, 260, 269, 270, 275, 279, 291, 299, 302, 304, 313, 319, 325, 327, 328, 329, 334, 338, 340, 342, 344, 345, 347, 348, 351, 354, 356, 362, 365, 366, 368, 371, 376, 380, 381, 396, 399, 403, 405, 408, 413, 415, 416, 418, 419, 420, 422, 425, 427, 430, 432, 433, 439, 518, 545, 599, 600, 601, 602, 605, 606, 610, 611, 615, 618, 621, 622, 624, 625, 626, 627, 628. Rezin, 18. Ruth, 212; see also Greenif. Thomas John, 20. William, 18. See also Dorsey, John Hammond.
- Hammond's Company, 614. See also Soldiers.
- Hammond's Regiment, 335. See also Soldiers.
- Hampton, Stephen, 671.
- Handy, Benjamin, 237, 238, 258, 337, 339, 342, 345, 347, 348, 351, 354, 372, 375, 376, 396, 399, 402, 405, 413, 418, 422, 425, 427, 431, 432, 433, 588, 599, 601, 603, 605, 611, 622, 624, 625, 627, 629, 630, 631, 634, 638. Capt. John, 5, 13, 51, 53, 55, 56, 58, 65, 67, 69, 124, 125, 126, 144, 145, 146, 154, 160, 172, 248, 285, 294, 307, 310, 327, 328, 329, 331, 332, 337, 345, 347, 348, 351, 354, 362, 364, 365, 366, 371, 376, 423, 424, 425, 427, 430, 432, 433, 437, 555, 561, 564, 575, 577, 588, 596, 599, 601, 605, 611, 621, 622, 624, 625, 627, 629, 630, 634, 637, 638, 639, 640, 641, 642, 643.
- Hanson, John, 568. Samuel, 568. Walter, 568.
- Harborough, 7, 63, 134, 137, 139, 146, 165, 166, 169, 196, 212, 213, 214, 215.
- Harris, Benjamin, 23, 57. Joseph, 671.
- Harrison, Richard, 19, 23, 24. Samuel, 24, 25. William, 20.
- Harriss, John, 671.
- Hart, John, 265, 398.
- Hartman, George, 667.
- Hats, see Clothing.
- Haversacks, 609.
- Hawkins, John, jr., 11, 29, 38, 46, 53, 55, 56, 58, 65, 67, 73, 74, 75, 77, 81, 87, 93, 97, 133, 136, 140, 145, 154, 160, 161, 165, 172, 225, 259, 267, 287, 299, 309, 318, 327, 328, 329, 334, 343, 345, 347, 348, 351, 354, 362, 365, 366, 376, 396, 399, 402, 405, 413, 418, 420, 422, 425, 427, 430, 432, 433, 584, 586, 588, 599, 601, 605, 611, 622, 624, 625, 627, 630, 634, 638, 639, 640, 641, 642, 643, 647, 648.
- Hay, Basil, 671.
- Hayes, Charles, 671. Jeremiah, 671. John, 273, 529, 530, 531.
- Hayward, Thomas, jr., 232.
- Hazard, 16.
- Head, Bigger, 19.
- Heath, James Paul, 17.
- Hedges, William, 577.
- Helms, Mayberry, 667. Mayberry, jr., 667.
- Henderson, Mary, 24.
- Henry, John, 5, 13, 16, 28, 46, 51, 53, 55, 56, 59, 65, 69, 74, 75, 81, 87, 93, 124, 125, 126, 128, 133, 140, 145, 146, 151, 154, 160, 161, 172, 192, 228, 230, 237, 286, 294, 295, 307, 309, 310, 313, 321, 322, 327, 328, 329, 331, 332, 337, 340, 342, 346, 347, 348, 351, 354, 362, 363, 365, 367, 423, 425, 426, 427, 430, 432, 433, 435, 439, 440, 561, 564, 577, 588,

- 596, 597, 599, 601, 605, 611, 621, 622, 624, 625, 626, 627, 629, 630, 633, 634, 637, 638, 639, 640, 641, 642, 643. Robert Jenckins, x, xi, xxx, 23, 59, 65, 72, 74, 81, 248, 264, 341, 346, 347, 348, 351, 354, 362, 364, 365, 366, 371, 391, 392, 399, 399, 405, 412, 413, 418, 420, 422, 425, 426, 430, 431, 432, 563, 584, 594, 643.
- Hensey, Dennis, 672.
- Hepburn, John, 20, 22.
- Hewitt, Garvin, 673.
- Hickman, Arthur, 673. David, 673. Ezek, 673. Henery, 673. Solomon, 673. Stephen, 673. William, 673. See also Hickman.
- Hicks, William, 58, 59, 65, 74, 81, 83, 140, 145, 154, 160, 163, 588, 599, 601, 605, 606, 611, 622, 624, 625, 628.
- High Treason, see Treason.
- Highways, 395, 401, 494, 526, 657.
- Hikman, Joshua, jr., 673. See also Hickman.
- Hill, Abel, jr., 26.
- Hinkle, George, 671.
- Hinton, John, 671. Thomas, 671. Vachell, 671.
- Hispaniola, 337.
- Hodart, see Stoddert.
- Hofsteter, Henry, 667.
- Holderness, Earl of, 49.
- Hollyday (Holliday, Holyday), James, 17. Leonard, xxix, 234, 241, 242, 243, 296, 341, 343, 349, 417, 546, 547. Leonard, jr., 546, 547. Thomas, 234, 341, 546.
- Holsters, see Arms and Ammunition.
- Holyday, see Hollyday.
- Holy Orders, 468.
- Homewood, Thomas, 17.
- Hood, William, 21, 27.
- Hoods Hall, 16.
- Hooks, Samuel, 667.
- Hooper, Henry, xi, xxx, 46, 140, 229, 244, 295, 299, 353, 438, 588, 623.
- Hopewell, Joseph, 25. Thomas, 20.
- Hopkins, —, 335. Charles, 673.
- Hopper, William, 569, 575.
- Horses, Colts, Fillies, Gelding, Mares, xxi, 98, 114, 172, 206, 251, 325, 351, 369, 395, 401, 458, 462, 463, 506, 507. See also Duties; Tax, etc.; Wagons.
- Horse Troops, 450, 456, 457, 458, 459, 468. See also Soldiers.
- Hours, William, 562.
- Housekeeper, 172.
- How, Mathew, 273.
- Howard, Benjamin, 27. John, 24. John Greenif (Greeniff, Greeniss, Greniff, Grineff, Griniff), xx, 7, 63, 66, 134, 137, 139, 146, 161, 165, 166, 168, 169, 196, 212, 213, 214, 215. Samuel, 25, 583. Thomas, 671.
- Hughs, Gabril, 671. Nathan, 19, 26. Thomas, 26.
- Hungerford, Thomas, 18, 25, 568.
- Hunt, John, 273, 529, 530, 531. William, 293, 434, 436.
- Hunter, Rev. Samuel, 670.
- Hunting, xxvii.
- Hurricane, 562, 657.
- Hutchings, James, 26.
- Hutchison (Hutchinson), Elizabeth, 76, 111; see also Parker, Elisabeth. William, 29, 30, 31, 44, 75, 76, 77, 80, 82, 105, 110, 111.
- Hyland, Nicholas, 23, 26, 27, 140, 145, 154, 160, 168, 172, 344, 345, 347, 348, 351, 354, 362, 363, 365, 366, 367, 576, 577, 604, 605, 611, 612, 622, 624, 625, 627, 630, 634, 638.
- Hynson, Charles, jr., 22. Nathaniel, 21, 22. William, 39, 46, 53, 55, 56, 58, 65, 74, 81, 87, 93, 97, 133, 140, 145, 154, 158, 160, 163, 172, 261, 299, 327, 328, 329, 331, 332, 333, 334, 342, 345, 347, 348, 351, 354, 355, 362, 365, 366, 371, 376, 381, 396, 399, 402, 405, 413, 415, 418, 422, 425, 427, 430, 432, 433, 564, 577, 584, 586, 588, 600, 602, 605, 611, 622, 624, 625, 627, 629, 630, 634, 638, 639, 640, 641, 642, 643, 647, 648.
- Hynton, Thomas, jr., 671.
- Ijams, William, 582.
- Immigrants, 90, 542. See also Duties.
- Importers, 174, 175, 181.
- Imports, 182, 183, 184, 319, 336, 494; horses, 507; negroes, 325, 516, 517; sugar and molasses, 181; wines, liquors, etc., 173, 174, 178, 325, 502, 503. See also Duties.
- Imposts, Impositions, 78, 164, 174, 176, 182, 184, 325, 326, 518, 519, 520. See also Duties.
- Imprisonment, 91, 454, 459, 467, 470; fees, 208, 212, 451, 452, 531, 533, 534. See also Prisoners; Prisons.
- Inch, John, 24.
- Indentured Servants, see Servants.
- Indentures, see Deeds.
- Indian Corn, 115, 193, 206, 207.
- Indians, vii, viii, xii, xiv, xvii, xx, xxi, xxxiii, xxiv, xxvi, xxvii, xxviii, xxix, xxxiii, 31, 32, 38, 44, 83, 93, 97, 105, 113, 114, 130, 131, 147, 150, 151, 152, 156, 158, 165, 167, 171, 172, 177, 186, 206, 228, 244, 262, 263, 265, 267, 281, 283, 284, 286, 297, 303, 310, 311, 313, 314, 315, 316, 318, 321, 331, 333, 337, 346, 348, 351, 353, 397, 415, 416, 419, 420, 421, 423, 426, 462, 463, 480, 487, 488, 489, 490, 511, 527, 528, 536, 537, 617, 618, 620, 621, 651, 652, 669; allies, 315, 317, 487; census, xxvii, 536; chiefs, 536, 537; enemies, 320, 321, 322, 353, 436, 487, 488, 489, 651, 652; lands, 527, 528; nations, 377, 381, 392, 403, 526; outrages, xix, xxi; prisoners, xxxiii, 283, 317, 487, 652, 653; reservations, xxvi; town, 536; tribes, 317. See also Catawbas; Cherokeees; Delaware Indians; Five Nations; French; Locust Neck Indians; Nanticoke Indians; Oghuaguy Indians; Oneidas; Sachems; Scalps and Scalping; Senecas; Shawanee Indians; Six Nations; Treaties; Tuscaroras; Warriors.
- Indian War, 220, 441.
- Inheritance, estate of, 289.
- Ink Powder, 293, 434, 436.
- Innes, James, xix, xxv, 149, 312, 318, 319, 335.
- Inns, see Ordinaries.
- Inns of Court (London), xxx.
- Inspection Houses, 116, 565. See also Warehouses.
- Inspection Law, xiv, 39, 44, 65, 97, 105, 115, 269, 271, 285, 394, 398, 400, 407, 409, 424, 564. See also Tobacco.
- Inspectors, 39, 44, 97, 105, 115, 116, 148, 234, 342, 562, 637, 638, 641, 658, 659.
- Insurance, 632.
- Insurrections, xxii, 450, 451, 461, 462, 463, 465, 466, 467, 468.
- Interest on Loans, xiv, 78, 106, 564, 565.
- Intermarriage, Protestants and Romans, 444.
- Invasion, viii, 450, 451, 461, 462, 463, 465, 466, 467, 468.
- Ireland, Gilbert, 21.
- Irish Papists, see Papists.
- Irish Servants, see Servants.
- Iron, 329. See also Duties.
- Iron Chest, 13, 14, 125, 224, 233, 306, 484, 564; No. 2, 586, 647.
- Iron Ware, 608.
- Iron Works, 468, 613.
- Isles of Capere, see Capere.
- Jacobs, John, 670.
- Jail, see Prisons.
- Jailors, 468.
- James, Daniel, 672.

- Jenifer, Daniel of St. Thomas, xi, xxi, 248, 266, 287, 364, 365, 366, 371, 372, 375, 376, 378, 391, 396, 399, 402, 403, 405, 412, 415, 418, 422, 425, 426, 427, 430, 432, 433, 438, 560, 564, 577, 586, 588, 599, 601, 605, 611, 622, 624, 625, 627, 629, 630, 634, 639, 640, 641, 643, 647, 648.
- Jenings, Edmund, 17, 21. Thomas, 19, 22, 25, 158.
- Jesuits, xv, xix, 31, 36, 37, 60, 81, 88, 89, 90, 91, 159, 160, 286, 287, 288, 289, 290, 293, 344, 356, 357, 358, 376, 387, 427, 428, 429, 430, 441, 443, 444, 445, 446, 447, 448, 669. See also Catholics, Catholicism, etc.; Missionaries; Popish Priests; Priests; Religious Controversy.
- Jesuit Seminary, 290.
- Jewell, George, 673.
- Jews, 92.
- Jobson, Susannah, 26.
- Johns (John), Isaac, 9, 30, 44, 63, 76, 77, 80, 82, 105, 109.
- Johnson (Johnston), General, 315, 316. George, 583. Henry, 231, 232. James, 17, 24. John, 24, 671. Peter, 273, 529, 530, 531. Thomas, xxiii, 21. Thomas, jr., xi, 147, 153, 277, 278, 326, 610, 671.
- Johnson Fort, see Forts and Fortifications.
- Johnston, see Johnson.
- Jolly, James, 41.
- Jones, —, 57. Edward, 672. Isaac, 22. Thomas, 583.
- Jordan (Gordon), John, xxix, 3, 46, 47, 53, 56, 58, 63, 134, 140, 145, 154, 160, 164, 172, 189, 234, 240, 241, 248, 249, 293, 297, 301, 320, 324, 327, 328, 329, 334, 336, 341, 342, 345, 347, 348, 353, 363, 364, 365, 366, 371, 376, 396, 399, 402, 405, 411, 413, 417, 418, 422, 425, 427, 431, 432, 433, 435, 548, 563, 603, 604, 610, 628, 630, 631, 633, 634, 638, 639, 640, 641, 642, 644.
- Journal of Accounts, see Accounts.
- Jowles, Kenelm Greenfield, 22.
- Joyce, Cheany, 673.
- Judges, 210, 358, 359, 382, 383, 467, 471, 532, 583.
- Judgment Bonds, 106.
- Judgments, 57, 477, 478, 480, 522, 524, 527, 528, 529, 532, 533; record book, 584.
- Judicature, see Courts.
- Judicial Process, 529.
- Jurors, Jury, xx, 528, 529, 582, 583. See also Grand Jury; Petit Jurors.
- Justice, John, 672. John, jr., 672. Joseph, 672.
- Justices, xiv, xv, xxiv, xxviii, 57, 63, 64, 92, 115, 116, 117, 149, 179, 180, 183, 203, 204, 209, 210, 211, 240, 248, 255, 258, 292, 293, 294, 296, 297, 340, 341, 363, 364, 370, 374, 375, 405, 412, 427, 431, 433, 436, 437, 442, 443, 447, 449, 468, 473, 476, 479, 482, 483, 499, 500, 521, 523, 524, 525, 526, 527, 528, 533, 537, 538, 539, 540, 541, 542, 543, 561, 563, 564, 565, 567, 583, 587, 621, 633, 637, 640, 642, 648, 656, 657, 658, 660; of Assize and Gaol Delivery, 444; of Oyer and Terminer, 442; of Peace, 57, 66, 90, 91, 157, 179, 184, 208, 263, 264, 267, 297, 381, 388, 442, 444, 448, 453, 454, 482, 484, 485, 497, 498, 506, 528, 529, 531, 537, 543, 544, 601. See also Commissioners; Courts; Magistrates.
- Kanteens, see Canteens.
- Keech, James, 18, 25.
- Kelly (Kelley), —, 99. Thomas, 57, 66.
- Kenedy, Daniel, 672.
- Kennard, Philip, 21.
- Kennedy, Daniel, 234, 341, 342.
- Kent County, xi, xxx, 17, 18, 21, 22, 24, 25, 26, 128, 130, 135, 139, 152, 155, 166, 195, 202, 234, 333, 341, 342, 365, 530, 531, 533, 538, 539, 541, 574, 576, 660. Clerk, 232. Delegates, 46, 140, 299, 588. Prison, 273, 529.
- Kent County (on Delaware), 31, 36, 81, 88, 89, 92, 286, 449.
- Kent Island, 575; constable, 575.
- Kerby, Richard, 673.
- Kersey, James, 621.
- Kettles, 632.
- Key, —, 383. Philip, 21. Philip Barton, 573.
- Kidd, John, 608.
- Killough, Allen, 616.
- King, Ephraim, 583. Robert, 126. Thomas, 26.
- King of England, see Great Britain.
- King's Forces, see Majesty's Forces, etc.
- King's Service, see Majesty's Service.
- King's Troops, see Majesty's Forces, etc.
- Kirk, Thomas, 670. Thomas, jr., 672.
- Kitchen Utensils, 608.
- Kittridge, William Sargeant, 668.
- Knapsacks, 632.
- Knives, 632.
- Labourers, 464, 608, 609.
- Lady-Day, 498, 501, 502, 507, 508, 512, 514.
- Lake, Rev. Thomas, 22.
- Lake Ontario, 315.
- Lamar, Robert, 673.
- Lamb, John, 24.
- Lambden, Thomas, 23, 127, 133, 134, 136, 139, 148, 149, 161, 163, 168, 196, 207, 208, 209, 210, 211.
- Lamphiers, Goings, 568.
- Lancaster, 617.
- Lancaster County (Pa.), 236.
- L'André, Joseph, xxvii, 247, 362.
- Lands, xiv, xx, xxv, xxvi, xxix, 10, 62, 107, 110, 278, 337, 463, 512, 513, 546, 635; patents, 75, 110; records, 111, 171, 483, 511, 536; rents, 512, 513, 527, 528; taxes, xxi, xxii, xxiii, 252, 262, 276, 278, 279, 325, 390, 395, 401, 416, 417, 507, 508, 509, 510, 511, 512, 513, 514, 519, 520 (see also Collectors of Duties, etc.); tenents, 512, 513; warrants, xxi, 326, 328. See also Tax, etc.
- Lanks, Francis, 621.
- Larkin, Thomas, xxix, 234, 240, 241, 249, 297, 341, 342, 417, 548.
- Larsch, Valentine, 667.
- Laton, John, 673.
- Lawrence, Governor (of Nova Scotia), 247.
- Laws, 100, 271, 372, 373, 375, 403, 409, 626; distribution of printed copies, 538; publication of, 287, 290, 292, 297, 381, 425, 426, 431, 434, 538, 539, 540, 584, 585, 587, 642, 643, 646, 648, 659. See also Acts of Assembly.
- Lawson, Alexander, 22, 667.
- Lawyers, xxxi, 358, 382. See also Attorneys at Law.
- Layton, James, 673. William, 673.
- Lazarus, Sampson, 626.
- Lead, see Arms and Ammunition.
- Lease, 326, 514, 515. See also Deeds.
- Lee, Ar. F. 671, Richard, x, 3, 4, 5, 7, 9, 11, 12, 13, 16, 30, 47, 53, 63, 69, 80, 222, 224, 228, 236, 238, 242, 246, 247, 255, 257, 258, 263, 279, 284, 285, 286, 291, 293, 296, 308, 338, 360, 370, 377, 417, 426, 431, 434, 436, 439, 474, 518, 545, 553, 556, 557, 559, 560, 561, 562, 563, 564, 577, 584, 586, 599, 624, 638, 643, 647, 648. Thomas, 22.
- Leeds, John, 577.
- Legal Fees, 528.
- Legal Papers, xxi.
- Legal Tender, 485, 486.
- Lemar, John, 66. William Williams, 66.
- Leoshear, Thomas, 671.
- Letters, conveyance of, 674.

- Letters of Attorney, 326, 515.
 Letters of Credit, 351, 377, 384.
 Letters Patent, 170.
 Levies, xxiii, xxvii, xxviii, xxxv, 116, 181, 234, 248, 255, 258, 276, 277, 291, 296, 297, 346, 363, 364, 370, 375, 412, 427, 432, 433, 434, 453, 474, 493, 494, 524, 525, 528, 537, 540, 544, 545, 546, 554, 562, 563, 580, 581, 584, 587, 589, 593, 597, 598, 600, 612, 615, 621, 633, 634, 635, 636, 637, 640, 642, 648, 650, 656, 657, 658, 659, 660, 662. See also County; Duties; Fines and Forfeitures; Licences; Public Assessments; Public Charges; Public Dues; Tax, etc.
 Levying Men, 616, 629.
 Lewis, Abner, 671. Edward, 668. Edward, jr., 668.
 Licence Money, 164, 178, 516, 520. See also Licences.
 Licences, xii, xxi, xxiii, 326; for selling liquor, 562, 567, 568, 573; to teach, 442, 443. See also Collectors of Duties, etc.; Duties; Excise; Fines and Forfeitures; Levies; Licence Money; Liquors; Marriage Licences; Ordinaries; Pedlars; Tax, etc.
 Lieutenant Colonel, of foot, 466; of horse, 466. See also Officers.
 Lieutenants, 282, 492, 618; of foot, 466; of horse, 466; pay, 251, 632, 633. See also Officers.
 Lighthouse, xxxiv, 617, 629.
 Linton, Samuel, 671.
 Liquors, xxxiii, 14, 174, 175, 268, 275, 291, 293, 346, 392, 394, 400, 402, 406, 426, 436, 460, 495, 496, 497, 500, 501, 502, 562, 567, 568, 573, 608, 661, 662; retailers of, 496, 497, 498, 500, 501, 502. See also Drink; Duties; Licences; Tax, etc.
 Little Meadows, 345.
 Lloyd, Edward, x, 5, 7, 29, 32, 33, 39, 65, 87, 264, 274, 285, 563, 585, 613, 644. Richard, 335. Robert, 8, 38, 46, 51, 53, 55, 56, 58, 61, 62, 65, 74, 81, 87, 93, 140, 143, 144, 145, 146, 151, 154, 160, 161, 162, 163, 167, 172, 189, 223, 279, 280, 285, 291, 292, 299, 302, 305, 306, 307, 308, 309, 310, 312, 313, 314, 316, 321, 322, 323, 327, 328, 329, 334, 338, 339, 342, 344, 345, 347, 348, 349, 351, 354, 355, 362, 365, 366, 369, 371, 372, 376, 396, 399, 403, 405, 408, 411, 412, 416, 417, 419, 422, 423, 424, 425, 426, 427, 430, 432, 433, 434, 435, 436, 518, 545, 553, 588, 589, 595, 600, 601, 602, 603, 604, 605, 608, 618.
 Lloyd's Regiment, 335. See also Soldiers.
 Loan Office (Paper Currency Office), xxi, xxiii, xxxiv, 12, 15, 70, 78, 173, 319, 320, 321, 322, 480, 482, 487, 490, 492, 498, 503, 514, 515, 516, 518, 520, 609, 626. See also Paper Currency Office.
 Loan Office Bonds, 106.
 Loans, 12, 70, 77, 78, 106.
 Lock, Meyeril, 572.
 Lockerd, Joseph, 673.
 Locks, 452, 453.
 Lockwood, Samuel, 583.
 Locust Neck, xxvi, 313, 318.
 Locust Neck Indians, 226. See also Indians.
 Lodging, 112, 651.
 Logsdon, Thomas, 672.
 Logue, James, 672.
 London, 170, 293, 331, 434.
 Londontown (Anne Arundel Co.), xxiv.
 Lord Proprietary, xiv, 61, 62, 72, 95, 96, 103, 577, 578, 580, 582, 583, 668. See also Calvert, Frederick, 6th Lord Baltimore.
 Lords of Trade and Plantations, 62, 73.
 Lord's Supper, 443.
 Loudoun, Earl of, xxix, xxxiii, 553, 589, 590, 591, 592, 593, 594, 596, 597, 599, 600, 612, 615, 616, 645, 650, 651.
 Louisburg, xix, 187, 204.
 Love, Charles, 562, 638, 641.
 Lovejoy, Samuel, 583.
 Low, Zachariah, 672.
 Lower House: Addresses to Governor, 52, 71, 72, 82, 100, 102, 104, 142, 143, 151, 159, 162, 167, 186, 188, 192, 302, 311, 317, 322, 330, 336, 349, 352, 356, 372, 375, 378, 380, 418, 419, 420, 435, 438, 595, 600, 602, 606, 610, 614, 625, 628, 646. Bar of, xiv, 302. Clerk, *passim*; fees, 66, 138, 169, 296. Committees, 50, 141, 300; elections, 594; grievances and courts of justice, xvii, 56, 57, 59, 61, 64, 82, 169, 308, 355, 594; inspect accounts and proceedings of paper currency office, see Paper Currency Office; inspect arms and ammunition, 157, 319, 334, 417, 594; laws, *passim*; ways and means, xxi, clerk, xi. Election of Speaker, 624. Journal, 168, 386. Journal of Votes and Proceedings, 435. Members, xi, xix, xxi, xxx, 46, 51, 53, 54, 55, 58, 59, 60, 69, 140, 144, 146, 152, 154, 155, 221, 229, 237, 248, 299, 300, 301, 302, 305, 307, 309, 310, 318, 323, 341, 344, 364, 557, 584, 588, 589, 594, 595, 604, 607, 644. Messages to Upper House, 5, 51, 77, 94, 95, 96, 124, 134, 136, 145, 164, 165, 221, 227, 243, 253, 255, 260, 270, 272, 279, 283, 284, 291, 293, 295, 301, 320, 352, 367, 370, 393, 399, 403, 408, 410, 416, 422, 424, 433, 434, 437, 555, 596. Officers' fees, 64, 66. Rules, 50, 141, 300, 594. Sergeant-at arms, 60, 66, 87, 302. Speaker, xi, xxx, 46, 169, 560, 623, 624, 668. See also Accounts.
 Lowes, Captain, xxvii, 333. Henry, 346.
 Lusby, Joseph, 26. Thomas, 22.
 Lux, Darby, 22.
 Lynch, Michael, 621. Robuck, 668.
 Lynham, Philip, 273, 530, 531.
 Lynn, —, 57, 86.
 Lynton, George, jr., 671.
 MacCarthy, Charles, 529, 530, 531.
 Maccauly (Maccolly), John, 273, 530, 531.
 Maccubbin, James, 583.
 MacDonald (MacDonald), James, 672. T., 610. Timothy, 558. William, 672.
 Mackall, Benjamin, 140, 145, 154, 160, 172, 187, 193, 243, 299, 319, 320, 323, 327, 328, 329, 334, 342, 346, 347, 348, 349, 351, 352, 354, 362, 365, 366, 372, 603, 605, 611, 622, 623, 624, 625, 628. James John, 20, 46, 54, 55, 56, 58, 60, 63, 65, 74, 81, 83, 138, 140, 145, 154, 160, 172, 189, 299, 313, 327, 339, 343, 344, 347, 351, 354, 355, 361, 362, 363, 586, 603, 605, 611, 618, 623, 624, 625, 627, 630, 634, 638, 639, 640, 641, 643, 647, 648.
 Mackay, William, 671.
 Mackey, John, 24, 25.
 Macklefish, David, 19.
 Macnemara, Michael (Clerk, Lower House), *passim*.
 MacPherson, Rev. John, xx, xxx, 50, 141, 300.
 Maddan, Jn.^o, jr., 672.
 Madeira Wine, see Wines.
 Magazine, see Arms and Ammunition.
 Magistrates, xviii, 4, 36, 48, 82, 156, 160, 180, 184, 283, 317, 387, 388, 404, 442, 447, 448, 451, 453, 460, 463, 471, 483, 488, 489, 499, 500, 501, 507, 515, 523, 534, 538, 543, 597, 598, 600, 652, 655. See also Chief Magistrate; Justices.
 Magruder, Alexander, 671.
 Mainprize, see Bail or Mainprize.

- Majesty's Colonies and Dominions, 32, 67, 68, 84, 89, 92, 113, 204, 205, 219, 222, 223, 594; defence of, 451; security of, 3, 6, 47, 48, 121, 122, 123, 124, 144, 220, 250, 253, 256.
 Majesty's Forces, Regiments, Troops, xii, xxix, 49, 68, 98, 112, 283, 553, 565, 566, 581, 589, 590, 591, 592, 600, 601, 651. See also Royal American Regiment.
 Majesty's Service, 4, 6, 28, 37, 38, 44, 54, 55, 57, 58, 59, 88, 89, 93, 97, 98, 99, 105, 111, 112, 114, 206, 401, 490, 493, 590, 591, 592, 594, 595, 597, 600, 602, 604, 617, 629. Act for, x, xii, xvii, xviii, xxi, xxiv, xxviii, xxxiii, 7, 12, *et passim*; agents' report of accounts, 605, 608, 610. Funds, 50. Supplies, xvi. See also Supply Bill.
 Majesty's Stores, 234.
 Manduit, William, 568.
 Manockacy, see Monockacy.
 Manors, xxxiii, 512, 513.
 Mares, see Horses.
 Marine Officers, see Officers.
 Mariners, 76, 468.
 Mark, Robert, 530, 531.
 Markland, Jonathan, 671.
 Marriage Licences, xxii, 326, 333, 354. See also Licences.
 Marsh, Robert, 273.
 Martin, John, 23.
 Mary II, Queen, xix, xviii, 154, 155, 156, 160, 443, 635.
 Maryland Gazette, xvii, 106, 107, 168, 365, 669.
 Maryland-Pennsylvania Line, xxi.
 Maryland Troops, see Soldiers.
 Masons, 608, 617.
 Mass, 290, 430, 448.
 Massachusetts Bay, xii, 155, 162, 437; Governor, 67, 68. See also Shirley, William.
 Mass Houses, 356. See also Church, Churches.
 Masters of Ships, 81, 89, 91, 173, 175, 181, 205, 253, 258, 311, 500, 507, 517, 617, 635, 636.
 Matches, see Arms and Ammunition.
 Matrimony, 503.
 Mattapan (Mattapenny), 41.
 Mattingly, Edward, 21.
 Mayer, Henrich, 667.
 Maynard, William, 273, 529, 530, 531.
 Mayor's Court, see Courts.
 Meal, 193.
 Meat, 194, 208.
 Medicines, 394, 400, 466, 468, 492, 608; chest, etc. for army surgeon, 251.
 Meekings, John, 20.
 Members of Lower House, see Lower House.
 Merchants, 197, 434, 460, 617.
 Mereness, Newton D., x.
 Merriken, John, 582.
 Merryman, Jos, 668.
 Mesne Process, 459.
 Messengers, 537, 617, 620; fees, 66.
 Meyrick, Griffit, 673. Richard, 673.
 Michaelmas, 498, 501, 502, 507, 508, 512, 514.
 Middle Neck, 361.
 Middleton, —, xxvii, 333. Thomas, 19, 20. William, 20.
 Military Activity, Affairs, Commissions, Establishment, Expeditions, Operations, Preparations, Service, Watch, etc., vii, ix, xii, xv, xxxiii, 280, 465, 466, 468, 469, 473, 474, *et passim*. See also Soldiers.
 Military Equipment, Expenditures, Stores, Supplies, etc., xiii, xiv, xxv, xxviii, xxxi, xxxii, xxxiii, 111, 112, 144, 345, 452, 453, 592, 606, 608, *et passim*. See also Stores and Provisions; Supplies; Warlike Stores.
 Military Officers, see Officers.
 Militia, viii, xxv, xxix, xxx, xxxii, xxxiii, 68, 150, 220, 222, 250, 266, 271, 285, 297, 298, 304, 305, 317, 320, 333, 335, 351, 365, 398, 404, 410, 420, 424, 430, 432, 435, 452, 453, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 474, 491, 492, 493, 554, 590, 592, 596, 598, 602, 604, 605, 606, 607, 608, 612, 616, 618, 619, 620, 621, 622, 623, 624, 625, 626, 628, 637, 639, 640, 654; act for regulating, 450ff., 467; bill, xxxiv, 641; law, xx, xxxi, 220, 607; pay, 466. See also Soldiers.
 Mills, James, 30, 51, 53, 55, 56, 59, 65, 74, 82, 87, 93, 146, 154, 160, 169, 241, 310, 313, 327, 328, 329, 334, 336, 343, 345, 347, 350, 351, 354, 600, 601, 602, 605, 606, 611, 622, 624, 625, 627, 628. Thomas, 335, 616.
 Mills and Mill Dams, xxviii, 234, 342, 535.
 Mills's Fort, 348.
 Miners, 608.
 Ministers, 468.
 Misprision of Treason, 444.
 Missionaries, 287, 427, 430.
 Mississippi River, 337.
 Mitchell, Robert, 671.
 Moale, Jn.^r, 667.
 Molasses, xiii, xvi, 135, 157, 164, 181, 182, 183, 184, 494.
 Money, 94, 95, 96, 101, 103, 104, 106, 107, 132, 144, 198, 199, 203, 246, 352, 481, 484, 486, 487; British Sterling, 84, 113, 197, 205; current, 34, 40, 197, 353, 404, 486, 489; destruction of defaced bills, 294; English and foreign coins, xiv, 10, 61, 65, 481; paper, xii; printing, 648 (see also Printing); public, 629. See also Paper Currency.
 Monockacy (Manockacy, Manockasy, Monococy) River, 670; ferry, 234, 342.
 Monongahela River, battle of, vii, xxxi, 558, 607.
 Moore, Henry, xxi, 46, 53, 55, 56, 58, 65, 74, 81, 87, 93, 140, 145, 154, 160, 172, 249, 340. John, 668. John, jr., 621.
 Morgan, Henry, 568. John, 668.
 Mortgages, xiv, 10, 18, 21, 22, 62, 148, 197, 198, 309. See also Bonds, etc.
 Mugg, Peter, 20, 21.
 Mulattos, 460, 461, 462, 463.
 Murdock, William, xi, xxxiii, xxiv, 38, 54, 55, 56, 58, 64, 65, 66, 72, 74, 75, 76, 82, 87, 93, 97, 130, 140, 142, 143, 145, 151, 152, 154, 156, 160, 172, 269, 270, 274, 275, 277, 279, 299, 302, 313, 322, 327, 328, 329, 334, 343, 346, 347, 348, 351, 352, 354, 356, 362, 365, 366, 368, 371, 372, 376, 396, 399, 403, 405, 408, 412, 415, 416, 488, 518, 588, 595, 600, 601, 605, 611, 614, 621, 622, 624, 625, 626, 627, 630, 634, 638, 639, 640, 641, 675.
 Murray, John, 17. William, 21.
 Muscovado Sugar, 157. See also Sugar.
 Muskets and Musket Ball, see Arms and Ammunition.
 Muster, 453, 458, 459, 460, 464; rolls, 250, 616, 623, 626, 654.
 Mutiny, 251, 282, 394, 467, 493.
 Myres, Jacob, 273, 530. John, 531.
 Nails, 608.
 Nanticoke Indians, xxvii, 310, 536, 620. See also Indians.
 Nanticoke River, 525, 526, 656.
 Nashon, William, 672.
 Naturalization of Protestants, 92, 344, 421, 424.
 Naval Officers, see Officers.
 Naval Power, 593.
 Negroes, 288, 289, 290, 428, 429, 460, 461, 462, 463, 640; duty on, xvi, xxi, 14, 147, 230, 232, 325, 516, 517, 564, 565, 567; population, xxxi. See also Duties.
 Neutrals, 450. See also French.
 Newcastle County (on Delaware), 31, 36, 81, 88, 89, 92, 286, 449.
 New England, xxv, 331.
 Newfoundland, 204, 205.

- New Orleans, 337.
 New Store, 85.
 New York, xi, xx, xxv, xxix, xxxiii, 67, 219, 303, 311, 315, 331, 592, 651.
 New York, Governor of, 67, 68. See also DeLancey, James.
 Niagara, 315, 316, 331.
 Niagara Fort, see Forts and Fortifications.
 Nicholsson, William, 668.
 Nicholls, Edward, 671.
 Nichols, Jacob, 672.
 Nicholson, Beale, 27, 86, 149, 627.
 Nimmo, John, 273, 529, 530, 531.
 Noll, Charles, 673.
 Nolle (*Noli*) *prosequi*, 160, 384, 389, 390.
 Norris, George, 670. Jn.^o, 671. Thomas, 22. William, 673.
 North America, viii, xx, xxix, 48, 49, 50, 68, 542, 590, 591, 650.
 North Carolina, xxiv, xxxiii, 311, 313, 317, 419, 487, 650; forces, 318. See also Soldiers.
 Northern Frontier, 68.
 Northern Governments, 554, 590.
 North Mountain, xxiii, xxxii, 250, 281, 282, 393, 399, 488, 616, 619.
 Notes of Credit, 325.
 Notices in Public Places, 621.
 Notorial Acts, 515.
 Nova Scotia, xxvii, 205, 292, 293, 294, 297, 333, 373, 380, 405, 412, 431, 433, 436, 437, 461, 542, 543, 544; governor of, xxvii, 542. See also Acadia, Acadians.
 Nova Scotians, xxviii. See also Acadia, Acadians.
 Nowland, Matthew, 567.
 Null, Michel, 672.
 Oaths, xxv, 36, 37, 90, 91, 92, 157, 209, 211, 442, 450, 451, 460, 461, 464, 467, 471, 557, 558, 585, 636, 652, 654, 658; clerk of Paper Currency Office, 484, 485; collectors of excise, 495; commissioners of Paper Currency Office, 483; delegates, 221, 229, 238, 249; immigrants, 90, 91; printer, 482.
 Obligation, 197, 198.
 Obligatory Instruments, 515.
 Octorara River, 236.
 Office Bonds, 176, 184, 185, 472, 516, 518.
 Officers, Civil, xviii, xxxi, 114, 156, 160, 193, 206, 233, 252, 319, 336, 395, 401, 528, 578, 580, 597, 608, 636, 646; fees, 73, 343, 528; limitation of fees, xiv, 9, 10, 11, 39, 54, 61, 62, 65, 72, 97, 115, 148, 259, 340, 342, 361, 377, 540, 658. Marine, 253, 258, 365, 367, 377, 500. Military, xii, xiv, xvii, xxix, 48, 49, 57, 112, 114, 151, 172, 173, 206, 251, 282, 283, 295, 298, 333, 348, 350, 351, 377, 400, 414, 450, 452, 456, 457, 458, 459, 461, 462, 464, 466, 467, 468, 470, 472, 473, 474, 487, 488, 491, 492, 493, 554, 590, 591, 592, 593, 596, 597, 604, 607, 612, 618, 619, 622, 639, 650, 651, 652, 653, 654, 674; barracks, 617; pay, 251, 394, 400, 492, 609, 632, 633. Naval, xxx, 14, 32, 37, 84, 89, 90, 113, 115, 173, 174, 175, 176, 179, 181, 182, 183, 184, 193, 194, 205, 207, 220, 232, 507, 516, 517, 518, 564, 567, 576, 595, 636; clerk, 36; deputy, 37. See also Captains; Colonels; Commanders of Militia; Commanding Officers; Commissioned Officers; French; Lieutenant Colonel; Lieutenants; Recruits; Soldiers.
 Oghuaguy Indians, 315. See also Indians.
 Ogle, Major, 620. Samuel, 265, 398.
 Ohio River, xvi, 69, 89, 114, 121, 143, 144, 177, 205, 315, 331.
 Oil Flints, see Arms and Ammunition.
 Old France, 337.
 Old Town, 85.
 Oneidas (Indians), 315. See also Indians.
 Onondago, 316.
 Ordinances, 565.
 Ordinaries, xii, xiv, xxii, xxx, 6, 41, 104, 598. Keepers, 4, 48, 103, 112, 460, 562, 581, 638, 651. Licence Act, 78. Licences, ix, x, xii, xiii, xvi, xvii, xviii, xxiii, 14, 15, 16, 40, 41, 42, 103, 104, 125, 129, 145, 147, 164, 170, 230, 231, 232, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 576, 577, 581, 668; fees, x; fines, 12, 35, 41, 42, 43, 70, 78, 95, 96, 103, 104; fund, 12, 35, 70, 78, 95; law, 564; lists, 646. Rules and Regulations, 42. See also Licences; Public Houses.
 Ordnance, see Arms and Ammunition.
 Original Writ, see Writs.
 Orphans, xxvii, 542.
 Oswego, xxix, 315, 316, 331, 593.
 Owings, Samuel, 63, 66.
 Oxen, 463.
 Oxford (Md.), xxvii, 232, 247, 333, 335.
 Paca, John, 18, 46, 54, 55, 56, 58, 60, 140, 145, 146, 154, 160, 172, 187, 215, 221, 299, 300, 309, 318, 327, 328, 332, 344, 347, 348, 351, 354, 362, 363, 392, 396, 399, 402, 405, 412, 603, 605, 611, 622, 624, 627.
 Page, George, 19, 23, 25, 26.
 Paper, 293, 434, 436.
 Paper Currency, xiii, 12, 34, 35, 40, 67, 70, 77, 78, 103, 252, 484. See also Money.
 Paper Currency Act, 34, 40, 164.
 Paper Currency Office (Loan Office), xiv, xv, xxxiv, 5, 8, 10, 11, 13, 33, 40, 51, 53, 54, 55, 56, 60, 65, 67, 69, 77, 78, 94, 105, 106, 107, 124, 125, 129, 146, 147, 153, 157, 161, 173, 175, 176, 177, 178, 180, 183, 184, 185, 221, 223, 224, 228, 229, 230, 231, 232, 233, 243, 244, 252, 275, 294, 301, 305, 306, 309, 319, 330, 352, 353, 376, 379, 390, 392, 395, 401, 415, 418, 439, 480, 481, 482, 484, 486, 487, 489, 495, 498, 503, 511, 512, 514, 516, 518, 520, 541, 555, 556, 568, 580, 581, 582, 583, 596, 597, 599, 625, 643, 645, 646, 647, 654, 655, 656, 659, 660; clerk, 484; commissioners and trustees, 34, 44, 175, 176, 352, 353, 485, 495, 511, 512, 516, 518, 654, 655, 656, 659, 660, 675; expenses, 565; inspection of accounts and proceedings, 5, 13, 14, 15, 16, 51, 53, 54, 55, 56, 69, 124, 125, 126, 146, 221, 223, 224, 229, 230, 233, 294, 301, 305, 309, 319, 439, 555, 556, 563, 564ff., 586, 596, 597, 599, 625, 643, 645, 646, 647; records, 484, 485; report, 563, 564ff., 586. See also Loan Office.
 Paper Money, see Paper Currency.
 Papists, xxii, 90, 92, 156, 160, 344, 356, 357, 386, 387, 448, 449, 450, 454, 460, 461, 508, 510; French, xv, 31, 36, 37, 62, 81, 83, 88, 89, 91, 286, 293, 426, 436; German, xv, 31, 36, 37, 60, 62, 81, 83, 88, 89, 91, 286, 293, 426, 436; importation of, xv, 31, 36, 37, 62, 83, 88, 286, 293, 344, 426, 436; Irish, xv, 31, 36, 81, 88, 89, 92, 286, 449; special tax on lands, 325. See also Religious Controversy.
 Parade, 461.
 Paran, John, 568.
 Parchment, 293, 434, 436, 538.
 Pardons, 159, 189, 190, 191, 358, 359, 382, 383.
 Parishes, see All Faiths Parish (St. Mary's Co.); All Hallow's Parish (Worcester Co.); All Saints Parish (Frederick Co.); Port Tobacco Parish (Charles Co.); Prince George's Parish (Frederick Co.); St. Anne's Parish (Anne Arundel Co.); St.

- Mary Anne's Parish (Cecil Co.); St. Mary's Whitechapel Parish (Dorchester Co.); St. Paul's Parish (Baltimore Co.); Trinity Parish (Charles Co.); Worcester Parish (Worcester Co.).
- Parker, Elisabeth, 76, 111; see also Hutchison (Hutchinson), Elizabeth. George, 29, 75, 76, 110, 111.
- Parliament (British), see Great Britain.
- Parnham, Francis, 562.
- Parochial Church, 385. See also Church, Churches.
- Parsons (Parson), John Temple, 273, 529, 530, 531.
- Partridge, William, 667.
- Party, 467. See also County Party; Proprietary Party.
- Passengers (travellers), 4, 41, 48. See also Travellers.
- Passes, for French Neutrals, 543; for Indians, 537; for travelling, 346.
- Patapsco (Potapsco) River, 213, 214.
- Patents, see Lands.
- Patowmack River, see Potomac River.
- Patuxent River, 576.
- Paul (or Saul), —, 668.
- Pay Masters, 250, 393, 399.
- Peaches, 325, 327.
- Pearce, Benjamin, 18, 25. William, 25.
- Pearre, Alexander, 670.
- Pedlars, xvi; licences, 16, 126, 147, 231, 232, 564, 565, 567, 577. See also Licences.
- Penal Laws or Statutes of England, xxxv, 154, 155, 156, 160, 441, 668, 669.
- Penalties, 450, 451, 452, 454, 456, 458, 459, 461, 463, 464, 465, 469, 470, 471, 497, 498, 499, 500, 502, 504, 505, 506, 507, 510, 513, 517, 518, 519, 520, 661, 662. See also Fines and Forfeitures.
- Pennsylvania (Pensilvania), xv, xvi, xxi, xxiv, xxv, xxxiii, 31, 36, 81, 88, 89, 92, 143, 236, 251, 282, 286, 311, 313, 314, 317, 345, 373, 395, 401, 419, 426, 449, 487, 488, 490, 492, 493, 650, 670; assembly, xxvii.
- Pension, 493.
- Peper's Branch, 202.
- Pepperell, Sir William, xii, 48, 50.
- Petit Jurors, 128, 130, 135, 138, 152, 155, 166, 195, 200. See also Jurors, Jury.
- Petty Charges, 609.
- Philips, John, 26.
- Phillips's Bond, suit of, 564.
- Physicians, 468, 469. See also Surgeons.
- Pickett, George, 668.
- Pikes, see Arms and Ammunition.
- Piles Fresh, 562.
- Piles' Warehouse, 637, 638, 641, 657, 658.
- Pillory, 211.
- Pindell, Phillip, 670.
- Pioneers, 464.
- Pistol Ball, see Arms and Ammunition.
- Pistols, see Arms and Ammunition.
- Pitch, xxi, 325, 517. See also Duties; Tax, etc.
- Plaint, 138.
- Plantations, 621.
- Planters, 137, 139, 166, 168, 169, 196, 212, 658.
- Plater, George, x, 3, 4, 7, 11, 21, 32, 33, 38, 39, 44, 47, 83, 88, 105, 108, 117, 672.
- Plummer, Jeremiah, 671. John, 671. Thos., 671.
- Polk, Robert, 567.
- Poll, 670.
- Poll Tax, xii, 58. See also Tax, etc.
- Pontany, William, 667.
- Poor Land, 562.
- Pope (Bishop of Rome), 290, 430.
- Popery, xviii, xxiv, 159, 189, 259, 261, 287, 288, 356, 357, 359, 380, 382, 427, 428, 429, 430, 440, 441, 669. See also Religious Controversy.
- Popish Ceremonies, 290, 430. See also Religious Controversy.
- Popish Missionaries, 287, 427, 430. See also Religious Controversy.
- Popish Priests, xv, 31, 36, 37, 60, 81, 88, 89, 90, 91, 286, 288, 293, 357, 376, 428, 441, 443, 444, 445, 446, 447, 448. See also Catholics, Catholicism, etc.; Jesuits; Missionaries; Priests; Religious Controversy.
- Popish Religion, see Popery.
- Popish Residents, 669. See also Religious Controversy.
- Popish Seminaries, xviii, xxiv, 159, 358, 359, 385. See also Religious Controversy.
- Popish Tyranny, 43. See also Religious Controversy.
- Population, negroes, xxxi; whites, xxxi.
- Pork, 85, 193.
- Porter, Richard, 15, 232, 566.
- Port Royal (Nova Scotia), see Annapolis-Royal.
- Ports, 84.
- Port Tobacco Parish (Charles Co.), xxi, 562; Vestry, 562.
- Portugal, 115, 207.
- Possession, Writs of, 528.
- Postage of Letters, 617, 623, 626, 627.
- Potapsco River, see Patapsco River.
- Potomac (Patowmack, Potowmack) River, xxxii, 194, 232, 281, 282, 608.
- Potts, William, 26.
- Powder, see Arms and Ammunition.
- Powder House, see Arms and Ammunition.
- Prather, —, 57. Major, 348, 350, 351, 414, 674. Thomas, 619.
- Precedence of Militia, disputes over, 461.
- Precepts, 108.
- Prerogative Court, see Courts.
- Prerogative Office, 198.
- Press Master, 466.
- Preston, Daniel, 215.
- Priests, xv, xix, xxiv, xxv, 90, 91, 287, 289, 344, 357, 385, 386, 427, 429, 441, 669. See also Catholics, Catholicism, etc.; Jesuits; Missionaries; Popish Priests; Religious Controversy.
- Prince George's County, xi, xxiv, xxix, xxxii, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 44, 75, 76, 111, 160, 190, 208, 247, 320, 358, 360, 388, 530, 531, 533, 538, 539, 541, 546, 564, 568, 572, 575, 616, 618, 619, 622, 623, 624, 625, 660. Delegates, 46, 140, 299, 588. Deputy Clerk, 29, 30, 31, 75, 77, 80, 82, 100, 105, 110. Land Records, 111. Prison, 132, 133, 134, 136, 139, 158, 168, 196, 207, 273, 530. Sheriff, 207. See also Courts.
- Prince George's Parish (Frederick Co.), 562; Vestrymen, Churchwardens, and Parishioners, 562.
- Printer, provincial and public, xxviii, xxxiv, 101, 287, 291, 292, 297, 381, 426, 473, 482, 538, 539, 540, 541, 584, 585, 587, 642, 646, 648, 659, 660; allowance, 425, 485; salary, 538, 539. See also Green, Jonas; Oaths.
- Printing, 538; of bill, 435; bills of credit, 482, 484, 541; laws, xxviii, xxxiv, 425, 538, 539. See also Money; Printer.
- Prisoners, xix, xx, xxxiii, 127, 132, 133, 134, 136, 139, 148, 149, 158, 159, 161, 163, 168, 177, 196, 207, 208, 211, 273, 278, 280, 283, 297, 411, 413, 415, 418, 423, 529, 530, 531, 532, 533, 534, 593, 599, 651, 652, 653; oath, 532, 533; of war, 150, 166, 283. See also Imprisonment.
- Prisons (Gaol, Goal, Jail), xx, xxviii, 57, 240, 273, 297, 358, 411, 412, 413, 415, 418, 423,

- 442, 451, 489, 499, 529, 537, 505, 652. See also Annapolis; Imprisonment; and following counties: Anne Arundel, Baltimore, Calvert, Cecil, Charles, Dorchester, Frederick, Kent, Prince George's, Queen Anne's, Somerset, Talbot, Worcester.
- Private Bills, fees, 44.
- Private Debts, 343.
- Private Men, see Soldiers.
- Private Schools, see Schools.
- Private Soldiers, see Soldiers.
- Process, 108; continuance of, 28, 44, 72, 74, 342, 343, 349.
- Proclamations, cost of seals, 424.
- Proprietary, see Lord Proprietary.
- Proprietary Government, xi.
- Proprietary Interest, x, xxx.
- Proprietary Party, x, xi, xii, xvi, xix, xxxiii.
- Proprietary's Manors and Lands, xxiii.
- Prosecutor, Baltimore Co., xvi, xix, 149.
- Protection, 138.
- Protestant Government, 357.
- Protestant Religion, 382.
- Protestant Revolution, xxiv.
- Protestants, xix, xxv, 37, 89, 91, 92, 344, 357, 385, 386, 387, 444, 591. See also Naturalization of Protestants.
- Province, defence and security of, viii, ix, xii, xxxi, xxxiii, 227, 251, 320, 600, 606, 607, 615, 625, 628, 634, 636, 637, 638, 642, 648, 650, 655. See also Defence Bills; Frontiers.
- Provincial Court, see Courts.
- Provincial Forces, see Soldiers.
- Provincial Justices, see Justices.
- Provincial Land Records, see Lands.
- Provincial Magistrates, see Magistrates.
- Provincial Office, 169, 171.
- Provincial Printer, see Printer.
- Provincial Records, 483, 512.
- Provincial Secretary, ix, 117, 169, 170, 215, 549, 565, 584, 663; residing in England, xvii.
- Provincial Treasurers, 483.
- Provincial Troops, see Soldiers.
- Provisions, see Stores and Provisions.
- Public Assessments, xxviii, 15, 230, 232, 565, 566. See also Duties; Levies.
- Publication of Laws, see Laws.
- Public Charges, 292, 293, 294, 297, 544, 634, 635. See also Levies.
- Public Debts, 253, 254, 256, 272, 367, 368, 370, 402, 404, 410. See also Debts and Debtors.
- Public Dues, 343. See also Levies.
- Public Houses, 28, 37, 38, 44, 54, 73, 75, 88, 93, 97, 105, 111; keepers, 112, 651. See also Ordinaries.
- Public Laws, see Laws.
- Public Levies, see Levies.
- Public Magazines, see Arms and Ammunition.
- Public Money, see Money.
- Public Offices, viii, xviii, 441.
- Public Ordinaries, see Ordinaries.
- Public Printer, see Printer.
- Public Prosecutor, see Prosecutor.
- Public Roads, see Roads.
- Public Schools, see Schools.
- Public Servants, 272, 404, 410.
- Public Warehouses, see Warehouses.
- Punishments, 190, 211, 460, 463, 467.
- Purchasers, securing estates of, see Quietting Possessions, etc.
- Purnell, John, 26.
- Pye, —, 190, 358.
- Quakers, 92, 209, 275, 450, 468, 532, 670.
- Quartering Soldiers, see Soldiers.
- Quarter Master, 466.
- Queen Anne's County, xi, xiv, 17, 26, 128, 130, 135, 139, 152, 155, 166, 195, 202, 238, 239, 299, 479, 530, 531, 533, 538, 539, 541, 569, 575, 660. Clerk, 231. Delegates, 46, 140, 588.
- Prison, 273, 529. See also Courts.
- Quietting Possessions, Enrolling Conveyances and Securing the Estates of Purchasers, 109, 285, 291, 423, 424, 431, 548.
- Quit Rents, ix, xxii, 252, 507, 508.
- Raisin, William, 574.
- Raitt, John, 573.
- Ralwings, Isaac, 24. See also Rawlings.
- Ramsay, John, 17.
- Randall, Christopher, 18.
- Rangers and Ranging Parties, xvii, xxi, xxiii, xxxii, xxxiii, xxxv, 151, 153, 331, 339, 348, 350, 377, 378, 414, 418, 622, 624, 626, 627, 628, 631, 651, 653, 656, 674, 675; Governor's accounts, xxxv, 674, 675. See also Soldiers.
- Rank of Militia, disputes over, 461.
- Rates and Duties, 514. See also Duties.
- Raw Hides, 86.
- Rawlings (Rawlins), —, 99. Aaron, 22. John, xiv, xv, 57, 58, 59, 60, 61, 64, 66, 82, 187, 438. Jn.^r, 671. Jonathan, 22. See also Ralwings.
- Rawlings' Inquiry, see Rawlings, John.
- Reads, Samuel, 672.
- Real Estates, see Lands.
- Rebels, Rebellions, 288, 427, 450, 451, 461, 462, 463, 465, 466, 467, 468.
- Receiver-General, 512, 513.
- Recognizances, 108, 447.
- Records, see County; Courts.
- Recruits and Recruiting, viii, xii, xvii, xxix, xxx, xxxi, xxxii, 86, 282, 350, 554, 589, 593, 594, 597, 598, 599, 600, 602, 612, 620, 645; officers, xxxi, 598.
- Rectors, Vestrymen, and Churchwardens, 148, 251, 394, 400, 503, 504, 662, 667. See also All Faiths Parish; All Hallows Parish; All Saints Parish; Anne Arundel Co.; Port Tobacco Parish; Prince George's Parish; St. Anne's Parish; St. Mary Anne's Parish; St. Mary's Whitechapel Parish; St. Paul's Parish (Baltimore Co.); Trinity Parish; Worcester County; Worcester Parish.
- Reddell, John, 668.
- Red Foxes, 128, 130, 135, 139, 152, 195, 202.
- Reeder, —, 240, 338, 340. J., 621. John, 273, 604, 605, 611, 618, 625, 627, 630, 634, 638, 639, 640, 641. John, jr., 221, 283, 294, 300, 327, 328, 329, 332, 334, 342, 345, 347, 348, 350, 351, 353, 355, 362, 365, 366, 371, 377, 411, 413, 418, 422, 423, 424, 425, 427, 430, 432, 433, 437. Thomas, 46, 53, 55, 56, 58, 63, 67, 74, 81, 87, 93, 152, 154, 160, 172, 221, 299, 300, 308, 309, 323, 329, 334, 342, 345, 347, 348, 351, 354, 361, 362, 363, 372, 376, 396, 399, 402, 405, 588, 600, 601, 605, 611, 615, 622, 624, 625, 627, 630, 634, 637.
- Regiments, xii, 48, 49, 50, 281, 450, 452, 456, 457, 458, 459, 463, 464, 467, 554, 589, 590, 594, 600, 604. See also Soldiers.
- Registers of Parishes, 503, 504, 662.
- Registration, of French Neutrals, 543; of Indians, 536; of Popish Priests and Jesuits, 446, 447.
- Registry of Popish Lands, etc., 445.
- Rejoinder, 582.
- Religion, 670.
- Religious Controversy, viii, 159, 189, 190, 356, 357, 358, 359, 382, 383, 384, 385, 386, 387, 388, 389, 441, 442, 443, 444, 445, 446, 447, 448, 449, 668, 669. See also Catholics, etc.; Established Church; Jesuits;

- Papists; Popery; Popish Ceremonies; Popish Missionaries; Popish Priests; Popish Residents; Popish Seminaries; Popish Tyranny; Priests; Rome, See of.
- Ren, Isaac, 671.
- Rent Rolls, 252, 507; keepers, 252, 395, 401, 507, 508, 509, 510.
- Rents, 635, 636.
- Replevin, Writs of, 267, 272, 345, 403, 410.
- Replication, 582.
- Reprieve, 189.
- Revenues, ix, x, xxxiii, 356, 634; for Governor, act for, 474.
- Revolution (Scottish, 1746), 356, 357, 386.
- Revolution, American, viii.
- Rewards and Bounty, for scalping Indians, see Scalps and Scalping.
- Reynolds, Thomas, 51, 54, 55, 56, 58, 63, 69, 74, 81, 87, 93, 130, 132, 133, 134, 136, 139, 140, 145, 154, 156, 158, 160, 161, 168, 172, 196, 207, 208, 209, 210, 211, 212, 223, 243, 253, 273, 299, 305, 320, 322, 323, 327, 328, 329, 333, 334, 338, 342, 344, 345, 347, 348, 349, 351, 354, 362, 365, 366, 367, 369, 391, 396, 399, 402, 405, 412, 424, 425, 427, 430, 432, 433, 586, 588, 599, 601, 603, 610, 611, 622, 624, 625, 627, 637, 638, 639, 640, 641, 643, 647, 648. William, 22, 23, 26, 234, 341.
- Rhoades, Nicholas, 672.
- Richards, Stephen, jr., 672.
- Richardson, Samuel, 17.
- Thomas, 23.
- Riddle, Robert, 19.
- Ridgely (Ridgeley), Captain, 320. Charles, xxxi, 20.
- Charles, jr., 667. N. 667.
- Ridout, John, 384, 614.
- Rigging, 33, 84, 113, 205, 463.
- Rigs, James, 673. James, jr., 673.
- Rimmer, James, 673.
- Rind, Alexander, 21.
- Ringgold, Thomas, 26.
- Risteau, John, 568.
- Rites of Worship, 430.
- Roads, xxviii, 234, 236, 342, 346, 413, 415, 419, 423, 526, 657; building, 525, 526, 656, 657; repairing, 278, 280, 284, 297, 534, 535.
- Roberts, William, 26, 620.
- Robins, Thomas, 126.
- Robinson, Peter, 273. Sir Thomas, xii, 48, 98, 102, 104, 590.
- Roby, Hugh, 671.
- Rock-creek, 670.
- Rogers, Nicholas, 667. William, 19, 667.
- Rolls, 454, 455, 464.
- Roman Catholics, see Catholics, etc.
- Roman Church, see Catholics, etc.
- Rome, Church of, see Catholics, etc.
- Rome, See of, 290, 430, 443. See also Religious Controversy.
- Romish Religion, see Catholics, etc.
- Ross, —, 619, 623, 625. Doctor, 674. David, 609. John, xxvi, 5, 13, *et passim*; see also Council, Clerk; Upper House, Clerk.
- Roundell, Samuel, 190, 359, 360, 384, 388, 389, 390.
- Royal American Regiment, viii, xxix, xxxii, xxxiii, 554, 590, 593, 599, 612, 615, 616, 629, 645, 650, 651. See also Soldiers.
- Royal Charter, granted to first Lord Proprietary, 42.
- Rum, xvii, 153, 173, 174, 325, 329, 494, 496, 498, 500, 501, 502, 661. See also Drink.
- Rumney, Edward, 22. Nathaniel, 22.
- Rumsey, William, 18, 26, 27, 577.
- Rye, 325, 327.
- Sachems (Indians), 316. See also Indians.
- Saddle, 458.
- Saer, William, 670.
- Sailors, 253, 258, 365, 367, 377, 500.
- Sails, 33, 84, 113, 205.
- St. Anne's Church (Annapolis), xx, xxix. See also Church, Churches.
- St. Anne's Parish (Anne Arundel Co.), 132, 158. Rector, Vestrymen, and Churchwardens, 132, 158.
- St. Clair, Sir John, 63.
- St. Mary Anne's Parish (Cecil Co.), Rector, 302.
- St. Mary's City, 41.
- St. Mary's County, 20, 21, 25, 41, 189, 235, 358, 382, 538, 539, 541, 572, 573, 576, 660. Clerk, 576. Court House, 41. Delegates, 46, 140, 141, 221, 299, 300, 588. Prison, 159. Sheriff, 235.
- St. Mary's Whitechapel Parish (Dorchester Co.), xx, 132, 133, 139, 156, 158, 163, 166, 196, 203. Church, 135, 203, 204; see also Church, Churches. Vestry, 204.
- St. Omer's (College), 669.
- St. Paul's Parish (Baltimore Co.), xxxv, 667. Rector, Vestrymen, and Churchwardens, xxxv, 7, 667.
- St. Paul's Parish (Talbot Co.), 148.
- St. Peter's (Newfoundland), 204.
- Salt, xiv, 85.
- Sansbury, —, 360. Thomas, 388, 389, 390.
- Sassafras Neck, 361.
- Saul, see Paul.
- Savages, 220, 222, 287, 386, 427, 440, 441, 536.
- Scabbards, see Arms and Ammunition.
- Scalps and Scalping, xvii, xxi, xxiii, xxiv, xxvi, xxx, xxxiii, 177, 228, 244, 283, 317, 320, 321, 322, 353, 487, 488, 599, 609, 651, 652, 653. See also Indians.
- Scarborough, John, 11, 24, 60, 65, 67, 74, 76, 77, 126, 128, 140, 145, 154, 160, 162, 172, 237, 248, 301, 310, 327, 328, 329, 334, 337, 342, 345, 347, 348, 351, 354, 362, 363, 364, 365, 366, 372, 584, 588, 599, 601, 605, 611, 629, 634, 638, 639, 640, 641, 644.
- Schoolmaster, 442, 443. See also Education.
- Schools, xviii, xxiv, xxv, 288, 289, 290, 428, 429, 430, 441, 442, 443, 669. See also Education.
- Scire facias, 16, 107.
- Scotch Merchant, xxiv.
- Scotland, xx, 357, 387; defeat of Charles Edward at Culloden (1746), vii, xxiv.
- Seale, Jonathan, 20.
- Seals, 265, 271, 285.
- Secretary of Province, see Provincial Secretary.
- Secretary of State (British), see Great Britain.
- Secretary's Fees, see Provincial Secretary.
- Secretary's Office, see Provincial Secretary.
- Securities, see Bonds, Mortgages, and other securities.
- Security of Province, see Province.
- Sedition, 467.
- See of Rome, see Rome.
- Selby, John, 26.
- Selman, John, 19.
- Seminaries, xxiv, 159, 288, 289, 358, 359, 385, 428, 429, 430, 441, 442, 443. See also Education.
- Seminary Priest, 448.
- Senecar, 670.
- Senecas (Indians), 315. See also Indians.
- Sentry, 465.
- Sergeant-at-Arms, see Lower House.

- Sergeants, 251, 282, 365, 459, 466, 492, 632, 633. See also Soldiers.
- Servants, xxxi, 253, 258, 311, 367, 377, 450, 491, 597, 601, 608; duties on, 147, 230, 232, 565, 567; English, 13, 71; French and German, 91; importation of, xvi, 36, 89, 91, 175; indentured, xiii, xxix, xxx, 79, 232, 553, 564, 589, 591; Irish, 92, 449; oath, 90. See also Duties; Tax, etc.
- Service, 494.
- Sessions of General Assembly: Feb. 22-Mar. 26, 1755, 1-117; June 23-July 8, 1755, 119-215; Feb. 23-May 22, 1756, 217-549; Sept. 14-Oct. 9, 1756, 551-663.
- Settlemier, Christopher, 668. See also Settlemier.
- Settlements, 12, 13, 70, 79. See also Forts and Fortifications.
- Settlemier, Christo, 668. See also Settlemier.
- Severn River, xxxii, 548, 614.
- Sewall, Charles, 21. Clement, 21.
- Sharpe, Horatio, viii, ix, xi, xii, xvi, xvii, xviii, xix, xx, xxiv, xxvi, xxix, xxxi, xxxii, xxxv, 3, 6, 8, 10, 14, 46, 52, 55, 59, 62, 63, 67, 71, 72, 82, 98, 100, 102, 104, 106, 114, 121, 123, 140, 142, 143, 144, 145, 150, 151, 155, 159, 162, 167, 171, 172, 173, 178, 186, 187, 188, 191, 192, 197, 206, 219, 222, 223, 229, 244, 295, 299, 302, 305, 311, 314, 315, 317, 319, 320, 322, 323, 330, 331, 332, 333, 336, 337, 339, 345, 348, 349, 350, 352, 356, 370, 372, 373, 375, 377, 378, 380, 388, 391, 414, 416, 418, 419, 420, 435, 437, 438, 476, 488, 490, 553, 555, 556, 565, 588, 593, 594, 595, 597, 598, 600, 602, 604, 606, 607, 609, 610, 612, 614, 617, 619, 623, 625, 628, 637, 645, 646, 650, 651, 656, 667, 670, 674. See also Governor.
- Shawnee (Shawanese, Shawnese) Indians, xx, xxvi, 220, 303, 314, 331. See also Indians.
- Shelby, Lieutenant, xxi, 228, 314, 321, 322, 350, 674. Evan, 616.
- Sheredine (Sheredin), Thomas, 20, 22, 568.
- Sheriffs, xxxiv, 9, 14, *et passim*; deputies, 182, 183, 184; fees, 533, 578, 580; salaries, 116, 204, 525, 526, 538, 541, 544, 656, 658, 660. See also various counties.
- Shipley, Adam, 18.
- Ships and Vessels, 32, 33, 36, 81, 84, 89, 91, 113, 115, 173, 174, 175, 181, 182, 188, 193, 194, 205, 206, 253, 258, 311, 315, 337, 365, 367, 377, 463, 464, 500, 501, 507, 517, 554, 590, 617, 635, 636; *Garland*, 337; masters, 365, 367, 377. See also Boats; Skippers; Sloops.
- Shirley, William (Gov. of Mass.), xi, xii, xiv, xx, xxvi, xxx, 48, 50, 68, 155, 162, 187, 188, 219, 222, 302, 311, 313, 315, 331, 414, 435, 437, 590. See also Massachusetts Bay.
- Shirt, 632. See also Clothing.
- Shoes, 86, 632. See also Clothing.
- Shot, see Arms and Ammunition.
- Silver, 24.
- Simpson, Richard, 672.
- Sinking Fund, xiii, xxi, xxiii, 246, 250, 251, 252, 254, 257, 260, 262, 264, 275, 279, 280, 283, 285, 296, 325, 326, 344, 356, 367, 376, 379, 390, 392, 406, 416, 417, 440, 480, 482, 483, 485, 489, 494, 495, 511, 518, 519, 541, 584, 585, 587, 608, 610, 642, 646, 648, 650, 652, 661.
- Six Nations (Indians), xxvii, 71, 315, 537. See also Indians.
- Skippers, 253, 258, 365, 367, 377. See also Ships.
- Slaughtering Cattle, 86.
- Slaves and Slavery, xix, 43, 89, 160, 253, 258, 288, 289, 290, 311, 356, 365, 367, 377, 428, 429, 450, 460, 461, 462, 463; manumission of, 128, 130, 135, 139, 152, 155, 166, 195, 201.
- Slavin, Santy, 567.
- Sligh, William, 549, 584.
- Slings, see Arms and Ammunition.
- Sloops, 253, 258, 365, 367, 377, 463, 500, 501. See also Ships.
- Slygh, Thomas, 19.
- Small Arms, see Arms and Ammunition.
- Smallwood, Bayne, 11, 31, 46, 54, 55, 56, 58, 65, 74, 81, 82, 87, 93, 241, 266, 299, 300, 313, 327, 328, 329, 334, 342, 343, 346, 347, 348, 349, 351, 354, 361, 362, 363, 398, 399, 402, 405, 413, 418, 421, 422, 425, 427, 430, 432, 433, 563, 586, 595, 599, 601, 605, 611, 622, 624, 625, 627, 630, 634, 638, 639, 640, 641, 642, 643, 647, 648.
- Smith, —, 41. Elias, 568. James, 21, 232. John, 568. Joseph, 621. Samuel, 21. Walter, 25. Walter, jr., 25. William, 221, 300, 320, 324, 327, 328, 329, 334, 341, 344, 347, 348, 351, 354, 361, 364, 365, 366, 371, 391, 411, 412, 621, 622, 624, 625, 627, 630, 634, 638, 639, 640, 641, 645.
- Smoots, Edward, 568.
- Snowden, Richard, 17, 25. Thomas, 25.
- Snow Hill, xxviii.
- Snow Hill Town, 524.
- Soldiers, Troops, etc., xii, xiv, xvi, 12, 14, 15, 48, 49, 50, 57, 68, 70, 79, 86, 98, 112, 121, 122, 123, 126, 144, 150, 172, 173, 220, 222, 224, 231, 250, 281, 282, 303, 337, 350, 393, 394, 399, 400, 414, 415, 450, 451, 452, 454, 456, 457, 458, 459, 463, 464, 466, 467, 470, 487, 488, 490, 492, 493, 558, 590, 593, 601, 609, 616, 618, 623, 625, 626, 628, 629, 630, 651, 652; pay, 282, 609; private, 112, 251, 492, 632, 633; quaterning, xii, xiv, 4, 6, 28, 37, 38, 44, 48, 49, 54, 73, 75, 88, 93, 97, 105, 111, 112; transportation, 86, 125, 231, 342, 487, 652. See also Army; Beall's Company; Belt's Company; Bladensburgh Independents; Callister's Company; Carolina Troops; Companies; Corporals; Dagworthy's Company; Dunbar's Regiment; Enlistment; Frederick Town; French; Great Britain; Hammond's Company; Hammond's Regiment; Horse Troops; Lloyd's Regiment; Majesty's Forces, etc.; Military Activity, etc.; Militia; North Carolina; Officers; Rangers and Ranging Parties; Recruits and Recruiting; Regiments; Royal American Regiment; Sergeants; South River Company; Stewart's Company; Stoddert's Company; Supporting Soldiers; Virginia; Volunteers; Watch and Ward.
- Sollers, Thomas, 668.
- Somerset County, xi, xxvii, xxx, 17, 18, 22, 23, 25, 26, 248, 310, 333, 346, 363, 364, 370, 375, 525, 530, 531, 533, 538, 539, 541, 561, 563, 575, 584, 587, 620, 621, 633, 637, 640, 642, 644, 648, 650, 657, 660. Clerk, 232. Delegates, 588, 594. Justices, 255, 258, 297. Prison, 273, 530. Sheriff, 232.
- Somes, Thomas, 273, 530, 531.
- Soper, James, 672.
- Soumaien (Sowmaein), Samuel, 26.
- South Branch, 281.
- South Carolina, 311, 313, 317.
- Southern Colonies, 220.
- South Mountain, 620.
- South River Church (Bean Hill) (Anne Arundel Co.), 197. See also Church, Churches.

- South River Company, 614. See also Soldiers.
- Sowmaein, see Soumaien.
- Spain, 115, 207.
- Spangle, George, 672.
- Sparrow, Thomas, 18, 33, 83, 85.
- Speaker, Lower House, see Lower House.
- Spiers, William, 57.
- Spies, xxvii, 284, 286, 297, 421, 423, 426, 536.
- Spirits, xiii, xxi, 173, 174, 325, 327, 329, 494, 496, 498, 500, 501, 502. See also Drink.
- Spoons, 632.
- Sprigg, Edward, 18, 19, 21, 30, 46, 53, 56, 58, 65, 74, 80, 87, 93, 172, 301, 323, 327, 328, 329, 332, 339, 343, 346, 347, 362, 365, 366, 371, 376, 391, 585, 604, 605, 611, 622, 624, 625, 630, 634, 638, 639, 640, 641, 644, 646. Osborn, 23, 247, 568. Rachel, 247. Thomas, 20, 23.
- Squirrels, 128, 130, 135, 138, 139, 152, 155, 166, 195, 200, 202, 346, 391, 396.
- Stages, 172.
- Stansbury, Tobias, xxxii, 620, 637, 667.
- Starkey, Jn.^o, 21. Joshua, 21.
- State Council, see Council.
- State House (Annapolis), 47, 141, 300, 589.
- Stationery, 293, 434, 436.
- Statute of I William and Mary (Chap. xviii, 1688), xviii, xix, 154, 155, 156, 160.
- Statutes, see Penal Laws, etc.
- Steeple, 132.
- Stehler, Jann, 667.
- Sterling Money of Great Britain, see Money.
- Steuart, George, 17, 20, 21, 23, 26, 215, 335, 584. William, 20, 215.
- Stevenson, Edward, jr., 668. Henry, 335. Jn.^o, 667.
- Steward, Daniel, 673.
- Stewart, Thomas, 671.
- Stewart's Company, 335. See also Soldiers.
- Stinchcomb, John, 667.
- Stitching, 538.
- Stockades, 617.
- Stockings, 632. See also Clothing.
- Stoddert (Hodart, Stoddard, Stoddart), Lieutenant, 335, 350, 674. John, 8, 26, 29, 31, 46, 54, 55, 56, 58, 61, 64, 65, 66, 74, 75, 77, 81, 82, 87, 93, 137, 140, 145, 154, 156, 160, 169, 172, 233, 248, 259, 261, 263, 265, 266, 284, 299, 324, 327, 328, 329, 334, 336, 340, 342, 345, 347, 348, 349, 351, 354, 355, 363, 364, 365, 366, 371, 372, 376, 381, 396, 397, 399, 402, 403, 405, 413, 418, 422, 423, 425, 427, 430, 432, 433, 560, 595, 599, 601, 605, 611, 622, 624, 625, 626, 627, 628.
- Stoddert's Company, 350. See also Soldiers.
- Storage Charges, 86.
- Storehouses, 621.
- Stores and Provisions, xiv, xviii, xx, xxviii, xxix, xxxi, xxxiii, xxxiv, 15, 31, 32, 38, 44, 68, 83, 84, 93, 97, 105, 111, 112, 113, 114, 115, 126, 133, 134, 136, 138, 139, 143, 147, 152, 162, 163, 164, 168, 187, 188, 189, 192, 193, 194, 196, 204, 205, 206, 207, 220, 222, 223, 224, 225, 226, 231, 250, 304, 312, 351, 463, 476, 488, 489, 585, 587, 591, 592, 593, 594, 599, 602, 608, 619, 622, 623, 626, 632, 633, 637, 644, 646, 648, 663, 674. See also Military Equipment; Supplies; Warlike Stores.
- Stunshall, John, 22.
- Subpoena, 326, 514.
- Sugar, xiii, xvi, 135, 164, 181, 182, 183, 184. See also Muscovado Sugar.
- Summons, fee for serving, 66.
- Supplies, 67, 121, 122, 127, 142, 149, 162, 178, 219, 303, 330, 480. See also Military Equipment; Stores and Provisions; Warlike Stores.
- Supply Bill, x, xii, xxii, xxiii, xxvi, 350, 475, 669. See also Majesty's Service, Act for.
- Supporting Soldiers, 652. See also Soldiers.
- Surgeon, 400, 466, 468, 469, 492; mate, 400; pay, 251. 394, 633. See also Physicians.
- Surveyor, 326, 328; deputy, 513.
- Susquehanna River, 236, 345.
- Sussex County (on Delaware), 31, 36, 81, 88, 89, 92, 286, 449.
- Swan, James, 20. Robert, 24.
- Swan Shot, see Arms and Ammunition.
- Swiss, 591.
- Sword Belts, see Arms and Ammunition.
- Sword Blades, see Arms and Ammunition.
- Swords, see Arms and Ammunition.
- Tackle (ships), 463.
- Talbert, John, 673. John, jr., 673.
- Talbot County, xxvii, 15, 18, 22, 127, 128, 130, 135, 139, 148, 152, 155, 195, 202, 225, 226, 247, 477, 530, 531, 533, 538, 539, 541, 566, 576, 577, 660. Delegates, 140, 279, 588. Prison, 273, 530. Sheriff, 232. See also Courts.
- Talbott (Talbot), Edmund, 668. Edward, 19, 26.
- Tannehill, Jn.^o, 671.
- Tapper, James, 273, 413, 530, 531.
- Tar, xxi, 325, 517. See also Duties.
- Tasker, Benjamin, x, xxiii, 3, 4, 6, 11, 28, 74, 121, 128, 130, 133, 134, 136, 137, 155, 163, 164, 168, 219, 225, 226, 228, 229, 232, 235, 236, 238, 239, 242, 245, 247, 254, 257, 263, 264, 267, 269, 270, 274, 275, 280, 290, 291, 293, 296, 310, 312, 321, 332, 339, 362, 368, 390, 396, 407, 408, 415, 434, 435, 440, 490, 545, 557, 559, 560, 561, 563, 613, 624, 640. Benjamin, jr., x, 3, 4, 5, 7, 10, 11, 32, 39, 121, 123, 126, 128, 137, 219, 222, 229, 236, 238, 242, 244, 245, 247, 257, 263, 267, 274, 279, 285, 295, 416, 518, 549, 553, 555, 557, 559, 561.
- Taverns, see Ordinaries.
- Tax, Taxes, Taxation (miscellaneous), viii, ix, xii, xv, xvi, xxi, xxii, xxiii, xxxiii, xxxv, 78, 103, 169, 203, 204, 247, 248, 251, 252, 258, 268, 276, 277, 278, 325, 326, 333, 394, 395, 400, 401, 402, 406, 469, 494, 506, 518, 520; on bachelors, 504, 662. See also Bachelors; Collectors of Duties, etc.; Duties; Excise; Fines and Forfeitures; Horses, etc.; Lands; Levies; Licences; Liquors; Pitch; Poll Tax; Servants.
- Taxable Inhabitants, xxviii, 156; list of, 505.
- Taylor, Richard, 673.
- Tenements, 356.
- Test and Oath of Abjuration, 442. See also Oaths.
- Testimony, 358.
- Third Colonial War, ix.
- Thomas, Philip, x, xxiii, 3, 121, 128, 137, 234, 236, 261, 263, 266, 267, 269, 274, 275, 279, 280, 287, 291, 407, 415, 416, 434, 518, 545, 553, 555, 561, 586, 647, 648.
- Thompson, John, 23. Joseph, 273, 530, 531. Thomas, 273, 530, 531.
- Thornton, William, 23.
- Thorpe, George, 17.
- Tilghman, —, 30, 80. Edward, xi, xxiii, 3, 28, 46, 47, 54, 55, 56, 58, 60, 62, 65, 69, 71, 74, 81, 87, 93, 104, 134, 140, 143, 145, 151, 152, 153, 154, 158, 160, 161, 164, 165, 167, 169, 172, 185, 186, 187, 225, 270, 275, 277, 278, 287, 299, 304, 309, 312, 313, 317, 318, 320, 339, 342, 345, 347, 348, 351, 354, 362, 365, 366, 371, 376, 377, 381, 396, 399, 403,

- 405, 408, 412, 414, 415, 419,
420, 421, 422, 423, 425, 426,
427, 430, 432, 433, 440, 588,
595, 600, 601, 602, 605, 606,
610, 611, 618. Matthew, xi,
xxiii, 31, 51, 52, 54, 55, 56,
58, 65, 72, 73, 74, 81, 83, 87,
93, 104, 253, 254, 255, 270,
272, 275, 279, 291, 299, 305,
308, 311, 318, 320, 323, 327,
328, 329, 334, 338, 340, 343,
345, 347, 348, 351, 354, 355,
361, 362, 365, 366, 368, 371,
372, 374, 376, 378, 392, 396,
399, 403, 405, 408, 411, 413,
415, 416, 419, 422, 425, 426,
427, 430, 431, 432, 433, 435,
438, 518, 545, 560, 561, 588,
595, 596, 599, 600, 601, 605,
610, 611, 614, 615, 618, 621,
622, 623, 624, 625, 626, 627,
628, 630, 631, 634, 638, 639,
640, 641, 642, 645, 646. Rich-
ard, 231.
Timber, 527.
Timbrell, William, 21.
Tobacco, ix, xxxiii, 97, 105, 115,
116, 132, 133, 134, 137, 161,
163, 165, 166, 169, 180, 181,
202, 203, 234, 235, 248, 255,
258, 265, 271, 285, 296, 297,
343, 346, 358, 363, 364, 370,
375, 398, 404, 409, 424, 427,
524, 525, 546, 634, 635, 636;
act amending staple of, 9, 10,
11, 39, 54, 61, 62, 65, 72, 73,
97, 115, 148, 259, 262, 340, 342,
361, 377, 391, 540, 658. See
also Inspection Houses; In-
spection Law; Inspectors;
Warehouses.
Todd, Thomas, 132, 133, 134,
136, 139, 158, 168, 196, 207,
208, 209, 210, 211, 212.
Tolley, Walter, 21, 46, 54, 55,
56, 58, 63, 134, 137, 141, 145,
154, 160, 165, 169, 172, 187,
215, 299, 320, 324, 327, 328,
329, 334, 337, 339, 345, 347,
348, 351, 354, 355, 364, 365,
366, 371, 391, 405, 413, 420,
595, 599, 602, 605, 610.
Tools, 463, 488.
Toonaloway Creek, 167.
Tootle, Hellin, 25. Richard, 25.
Tottrell, Edward, 17.
Townshend, Jacob, 671. Little-
ton, 22.
Trade, Tradesmen, Commerce,
204, 336, 591, 609, 617.
Trade and Plantations, Lords of,
xiv.
Traitors, 444.
Transportation of Soldiers, see
Soldiers.
Traspan, Nicholas, 672.
Travellers, 4, 41, 48, 525.
Travers (Traverse), Henry, 51,
53, 55, 56, 58, 65, 67, 132, 155,
159, 160, 172, 259, 283, 304,
305, 366, 371, 376, 377, 381,
399, 402, 405, 413, 418, 422,
423, 425, 426, 585, 586, 588,
599, 601, 603, 624, 625, 627,
629, 630, 634, 638, 639, 640,
641, 643, 644, 647.
Treason, xxv, 357, 358, 382, 444,
451.
Treasurers, 37, 114, 194, 206,
290, 293, 295, 296, 430, 434,
436, 437, 438, 439, 472, 473,
483.
Treaties, xxvi, 67, 121, 219, 222,
303, 311, 415, 416, 490; with
Indians, xxvi, 311, 313.
Trespassing, 526, 527, 528.
Trials, 282.
Trinity Parish (Charles Co.),
641, 658. Vestrymen and
Churchwardens, 658.
Trippe, Edward, 15, 232, 566,
577, 578, 579, 580, 581, 582,
583. Henry, 18.
Troops, see Soldiers.
Truck, George, 672.
Trumpeter, 466.
Trumpets, 334, 612, 613, 614.
Trunk, 565.
Trustees of Somerset Co., 584.
Trusty, 567.
Turner, Philip, 672.
Turpentine, xxi, 325, 517. See
also Duties.
Tuscaroras (Indians), 315. See
also Indians.
Tutor, xxv, 442, 443. See also
Education.
Tyler, Samuel, 23.
Unitas Fratrum, 468.
United Brethren, 468.
United States Constitution, xi.
Upper House: Addresses to
Governor, 6, 10, 123, 222, 555.
Clerk, 5, 13, 468, 538; salary,
xxvi. Members, xxvi, 3, 5,
28, 29, 121, 219, 222, 234, 553.
Messages to Lower House, 5,
12, 33, 39, 40, 53, 70, 87, 124,
129, 131, 135, 136, 146, 154,
158, 165, 168, 221, 228, 244,
249, 254, 257, 262, 264, 265,
267, 270, 279, 280, 291, 293,
296, 301, 321, 353, 368, 374,
390, 397, 406, 408, 409, 416,
421, 434, 436, 439, 556, 599.
Utensils, 463.
Vacant Lands, 512, 513.
Vanbuskart, Michael, 608.
Van Sice, John, 316.
Veatch, Beniaman, 671. Daniel,
671. James, 671. James, jr.,
671. Jeremiah, 671. Jn.^o, 671.
John, 671. Nathan, 671. Nin-
nian, 671. Sylas, 673.
Thomas, 671.
Veazey (Veizy), Colonel, 336.
John, 567.
Vellum, 538.
Venerables, Benjamin, 25. Wil-
liam, 25.
Verelst, Harman, 170.
Vessels, see Ships.
Vestrymen, see Rectors, Vestry-
men, and Churchwardens.
Victuals, xii, 69, 98, 144, 674.
Vienna Ferry, 525, 656.
Vienna Marsh, xxviii, xxxiv,
525, 526, 656.
Vienna Town, xxviii, 346, 526,
656.
Virginia, xii, xiv, xvi, xxv,
xxxiii, xxxiv, 48, 143, 145,
150, 311, 313, 317, 318, 335,
337, 340, 373, 391, 414, 416,
419, 487, 488, 490, 492, 493,
608, 613, 617, 650; commis-
sioners, xxvi; rangers, 314.
See also Soldiers.
Virginians, xxxii, 121, 420.
Volunteers, xxxii, 336, 597, 619,
620. See also Soldiers.
Votes and Proceedings, distri-
bution of printed copies, 538.
Vulcan's Rest, 235.
Wade, Zephaniah, 19, 671.
Wager at Law, 138.
Waggaman, Ephraim, 569, 574,
577. Henry, 54, 55, 56, 58, 59,
65, 73, 74, 76, 77, 155, 160, 163,
258, 307, 310, 313, 318, 322,
327, 328, 329, 331, 332, 338,
342, 346, 347, 348, 349, 351,
354, 365, 366, 375, 376, 377,
604, 605, 611, 621, 622, 623,
627, 628, 629, 630, 633.
Wagons, 234, 342, 345, 463;
regulation of hire, xii, 4, 6,
47, 54, 73, 75, 88, 93, 97, 105,
111, 112, 608, 609. See also
Carts.
Walker, James, 24.
Wallis, Hugh, 46, 53, 55, 56, 58,
65, 74, 81, 87, 93, 98, 140, 145,
154, 160, 172, 278, 299, 327,
328, 329, 331, 332, 333, 334,
343, 345, 347, 348, 351, 354,
355, 362, 365, 366, 371, 396,
405, 413, 418, 422, 423, 424,
584, 588, 600, 602, 605, 611,
622, 624, 625, 627, 629, 630,
634, 638, 639, 640, 641, 642.
Walls, Henry, xxv, 420.
Walmsley (Walmesley), Rich-
ard, 273, 530, 531.
Walter, Casper, 667. Daniel,
673. John, 641, 673.
Walton, Thomas, 671.
Wampum Belt, 316.
War, viii, xvi, 122, 303; council
of, xi, xx.
Ward, Henry, 51, 53, 55, 56, 58,
65, 74, 134, 140, 145, 154, 160,
165, 172, 187, 299, 327, 328,
329, 331, 332, 333, 334, 342,
345, 347, 348, 351, 354, 355,
362, 365, 366, 371, 376, 391,
396, 399, 402, 405, 413, 418,
422, 425, 430, 585, 596, 600,
602, 605, 611, 622, 624, 625,

- 627, 629, 630, 634, 638, 639, 640, 641, 646.
Wardrop, James, 20, 24.
Warehouses (Tobacco), xxxiv, 115, 116, 127, 148, 175, 182, 273, 293, 412, 436, 562, 621, 658, 659. See also Inspection Houses; Tobacco.
Waring (Warring), Basil, 20, 76, 111.
Warlike Stores, xiv, xviii, xx, xxxiv, 67, 69, 83, 84, 93, 97, 105, 113, 114, 115, 133, 134, 136, 138, 139, 147, 152, 162, 163, 164, 168, 188, 189, 192, 193, 196, 204, 205, 206, 207, 220, 222, 223, 224, 225, 226, 304, 312, 476, 488, 585, 587, 590, 644, 646, 648, 663. See also Military Equipment; Stores and Provisions; Supplies.
Warraghiyagee, Brother, 315, 316.
Warrants, 57, 58, 99, 149, 180, 184.
Warring, see Waring.
Warriors, xxvi, 314, 415. See also Indians.
Watch and Ward, military, 465, 466. See also Military Activity, etc.; Soldiers.
Watermen, 468.
Waters, Philip, 273. Richard, 26.
Watkins, John, 582. Joseph, xxxi. Nicholas, 22.
Watts, Charles, 673.
Waughop, James, 20.
Weapons, see Arms and Ammunition.
Wearing Apparel, 210. See also Clothing.
Webb, Colonel, 591.
Weemes, David, 18.
Welch (Welsh), Benjamin, 25, 564, 583. John, 25. Thomas, 25.
Wells, Daniel, 132, 133, 134, 136, 139, 158, 168, 196, 207, 208, 209, 210, 211, 212, 667, 672.
Wersler, Moses, 667.
West, John, 57. John, jr., 57, 58, 66. Stephen, 26.
Western Branch, 335.
Western Expedition, see Expeditions.
Western Frontiers, vii, xii, xiv, xv, xvii, xviii, xxiii, xxvi, xxvii, xxxv, 351, 352, 371, 373, 374, 487, 493, 622, 624, 631, 674; defence and security of, 130, 131, 136, 156, 158, 165, 167, 168, 171, 172, 186, 187, 194, 317, 319, 320, 339, 397, 610, 611, 615, 616, 631.
Western Shore Treasurer, see Treasurers.
West Indies, 14, 581.
Wheat, William, jr., 673.
Wheat, 85, 115, 193, 206, 207, 325, 327, 651.
Wheel Carriages, see Carriages.
Wheeler, John, 29, 30, 31, 44, 75, 77, 80, 82, 105, 110, 111.
Wheeler's Adventure, 29, 75, 110, 111.
Whitaker, Nathaniel, 23.
Whitechapel (Dorchester Co.), xx.
Whitehall (England), xii, 48, 590, 591, 601.
Whitehead, Timothy, 671.
Whittington, Heber, 22. William, 17.
Wickham (Wichham), Nathaniel, 18, 672.
Wilcoxon, Jn.^o, 673.
Wilkins, William, 20, 57, 76, 170.
Willes, John, 672.
William III, xviii, xix, 154, 155, 156, 160, 443, 635.
Williams, John, 26, 150. Richard, 150. Mrs. Richard, 150. William, 672.
Williamsburg (Va.), 331.
Williamson, Alexander, xi, xxx, 38, 46, 53, 55, 56, 58, 65, 74, 81, 85, 87, 93, 97, 140, 145, 148, 151, 154, 158, 221, 224, 227, 228, 230, 266, 278, 294, 295, 299, 301, 306, 313, 320, 321, 324, 327, 328, 329, 334, 342, 343, 344, 346, 347, 348, 351, 354, 362, 365, 366, 371, 376, 396, 399, 402, 403, 405, 413, 415, 419, 421, 422, 425, 427, 431, 432, 433, 434, 439, 440, 555, 560, 564, 588, 596, 597, 600, 602, 605, 611, 618, 622, 624, 643.
Willoford, Henry, 273.
Wills, 76, 83, 85.
Will's Creek (Cumberland), xvii, 130, 131, 150, 151, 153, 156, 158, 171, 172, 173, 194, 369. See also Cumberland.
Willson, George, 673. Jon.^a, 670.
Wilmott, Robert, 667.
Wilson, Edward, 671, 672. Robert, 673. Wadsworth, 671. William, 671.
Winchester (Va.), 150.
Wines, xiii, xvi, xvii, xxi, 147, 153, 174, 178, 181, 182, 183, 184, 251, 325, 394, 400, 494, 496, 498, 501, 502, 661; Madeira, 147, 178, 179, 230, 232, 325, 494, 495, 502, 503, 564, 565, 567. See also Drink; Duties.
Winter, John, 562, 638.
Witnesses, xiv, xx, 10, 62, 128, 130, 135, 138, 152, 155, 190, 195, 200, 201.
Wolf, Pool, 672.
Wolstenholme, —, 626, 674, 675. Daniel, xxiv, 488.
Wooden, John, 667. Solomon, 668. William, 667.
Woods, burning of, 347.
Wootton (Wotton), Turner, 25, 26, 572, 575.
Worcester County, xx, xxviii, 23, 24, 26, 127, 129, 131, 135, 139, 148, 149, 153, 157, 166, 196, 202, 203, 208, 234, 248, 341, 345, 346, 363, 364, 370, 375, 524, 538, 539, 541, 569, 574, 576, 577, 660. Clerk, 231, 232. Delegates, 46, 140, 237, 301, 337, 588. Justices, 255, 258, 296. Prison, 127, 133, 134, 136, 139, 148, 149, 161, 163, 168, 196, 207. Rector, Vestrymen, and Churchwardens, 345. Sheriff, 207, 211, 237.
Worcester Parish (Worcester Co.), xx, 166, 127, 129, 131, 135, 139, 148, 153, 157, 196, 202, 203. Rector, Vestrymen, 202, 203. See also Chapel of Ease.
Working Tools, 210, 608.
Worthington, Brice Thomas Beale, 557, 558, 585, 604, 605, 607, 611, 622, 624, 625, 627, 630, 634, 638, 639, 640, 641, 644.
Wotton, see Wootton.
Wright, Benjamin, 23. Henry, 23.
Write, Amos, 672. Joseph, 672.
Writs, xxi, 107, 108, 345, 514, 515; original, 326, 514. See also Appeal; *Certiorari*; Election; Entry; Error; Executions; *Habeas Corpus*; Possession; *Replevin*.
Wyley, Thomas, 273, 530, 531.
Yeldell, William, 674.
Yoe, John, 20.
Young, Andrew, 672. Benjamin, 17, 19, 23. William, 9, 63, 66, 571.
Young Pretender, see Charles Edward.

